End of Term Self-Assessment Report for Australia's First Open Government National Action Plan 2016-18

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Contents

Introduction and Background

Open government is the idea – simple and transformative – that governments are more effective if they are transparent, accountable, and engaging.

As outlined in Australia's Midterm Self-Assessment Report, Government decision-making should be open to scrutiny, because governments work better when that happens and better decisions are made when everyone can contribute, governments should invite and facilitate citizen participation, and share data except where not appropriate, for example because it would not be in the public interest.

Australia joined the Open Government Partnership (OGP) to put these principles into practice. Australia's first Open Government National Action Plan 2016-18 comprises 15 ambitious commitments to strengthen and improve:

- transparency and accountability in business

- the availability of open data and the digital transformation of government services

- access to government information

- integrity in the public sector, and

- public engagement and participation.

As detailed in the National Action Plan 2016-18, Australia's Open Government commitments together address all five of the OGP Grand Challenges.

This End of Term Assessment Report demonstrates Australia's progress towards fulfilling our Open Government commitments, and in particular, in meeting the OGP Participation and Co-creation Standards around dissemination of information, space and platforms for dialogue and co-creation, and co-ownership and joint decision making.

It builds upon the progress outlined in Australia's Midterm Assessment Report which was submitted to the OGP on 22 September 2017 and which focused on the development of the National Action Plan 2016-18, the consultation process, the relevance of and ambitiousness of the commitments and progress to date. The Independent Reporting Mechanism (IRM) Midterm Report also considered the progress of commitments contained in the National Action Plan 2016-18.

This End of Term Assessment will focus on the outcomes of the reforms in the National Action Plan 2016-18 to the extent completed, consultation undertaken during the implementation phase of the Plan and the lessons learned from the first National Action Plan 2016-18 process. More detailed information about the strengths and weaknesses of the participation and co-creation process involved in the development of the National Action Plan 2016-18 can be found in Australia's Midterm Self-Assessment Report as well as the IRM Midterm Report.

Overall, while there are still a small number of commitments delayed in this first National Action Plan, Australia has taken steps to improve transparency, accountability and public engagement over the course of this Action Plan cycle, with the majority of the Plan's commitments either on track or now completed.

Australia's first National Action Plan has set up Australia for ongoing engagement with the Open Government Partnership and to enhance Australia's transparency, accountability and public engagement of public administration.

National Action Plan Process

Participation and co-creation throughout the OGP cycle

Australia has consistently engaged citizens and civil society through a multistakeholder process throughout the OGP cycle. Participatory mechanisms have included:

OGP Australia Website

The OGP Australia website was established soon after Australia commenced participation in the OGP. It includes information on all aspects of the national OGP cycle, published in plain and accessible language, including:

- general information about the OGP

- information about consultations around the first National Action Plan

- the full text of Australia's first Open Government National Action Plan 2016-18

- information about the various OGP Australia discussion and decision-making bodies, including the Interim Working Group and Open Government Forum

- a historical record of documents related to the OGP cycle, including consultation documents, and agendas, meeting papers and minutes of all meetings of these bodies

- information about opportunities for participation in consultations around Australia's Open Government commitments

- since July 2017, updates on the implementation status of each of Australia's Open Government commitments, refreshed at least every two months, and including contact details of each commitment's implementing agency or agencies

- news and updates about Australia's OGP cycle, including the consultations on the development on Australia's second National Action Plan 2018-20

- a facility to subscribe to the OGP Australia email list, which, together with the website, and the @pmc_gov_au Twitter accounts, is used to communicate with stakeholders to ensure they are informed and prepared to participate in all stages of the OGP cycle, and

- contact details of the lead agency and point of contact for OGP Australia.

Open Government Forum

The Open Government Forum, established in July 2017 (and succeeding the Interim Working Group), is Australia's Multistakeholder forum. It is tasked with:

- monitoring and driving implementation of the current Open Government National Action Plan

- helping develop the next Open Government National Action Plan, and

- raising awareness about open government.

The Forum includes an even balance of governmental and non-governmental (civil society) representatives, and is co-chaired by an individual of each group.

Between September and December 2018 the Department of the Prime Minister and Cabinet, on behalf of the Australian Government, facilitated a re-appointment process for the next Forum. Recruitment for the next Forum followed the same fair and transparent process that was used in the appointment of the first Forum as required by the Open Government Forum's Terms of Reference. As a result of this process, the membership of the Open Government Forum was extended to include an additional government and civil society representative.

Background on the composition of the current and former Forums, including a list of members, is available on the OGP website.

Government members included high-level representatives with appropriate authority, generally officials at the Deputy Secretary level, of Australian Government agencies leading implementation of Open Government commitments. This ensured the Forum was sufficiently empowered to provide advice and support, and reflects the structures of Australia's participation in the OGP, which was coordinated and facilitated by the Department of the Prime Minister and Cabinet, with individual Open Government commitments implemented by a range of Australian Government agencies.

Non-government members included individuals with a variety of expertise relevant to the OGP, including existing or potential future Australian Open Government commitments, and together, they contributed a diverse range of views. They were appointed on the recommendation of a selection panel comprised of a majority of non-government members, following an open process where nominations were assessed against published criteria. To facilitate a fair and transparent process, the selection panel published all nominations, as well as a statement of reasons for the final selection of members.

Over the course of the National Action Plan 2016-18 Implementation period, the Forum generally met in person every two months, including in different capital cities. Opportunities for participation via teleconference or other types of remote participation were provided for all meetings, so that members unable to attend physically were still able to participate.

The Forum proactively communicated and reported back on its decisions and activities to wider government and civil society stakeholders through the OGP Australia website. The agendas, meeting papers and minutes of all Forum meetings are online. The Forum's contact details were available on the OGP Australia website, and it invited inputs and representation from any civil society or other stakeholders, including questions regarding the National Action Plan process. Additionally, the Interim Working Group, which preceded the Forum, conducted outreach and awareness raising activities using a range of channels commonly used by citizens, civil society and other stakeholders. This included Twitter question and answer sessions and face-to-face and livestreamed workshops open to any interested members of the public, in order to inform and engage them across the OGP cycle. The Forum's terms of reference require it to seek a high level of community engagement by electronic means, including through trialling new methods of engagement. Notwithstanding these steps, the level of response from civil society has been limited at times. The Forum is expected to continue to build upon these types of practices.

Full terms of reference for the Open Government Forum, covering its remit, membership and governance, were developed following rounds of online and in-person public consultation, and were ratified by the Forum itself at its first meeting. The Forum is able to amend these terms of reference at any time. The current and previous Terms of Reference are publicly available on the OGP website.

Participation and co-creation when developing the National Action Plan

For detail on the process for participation and co-creation in developing the National Action Plan, please refer to Australia's Midterm Self-Assessment Report which is available on the Australia's OGP website.

Participation and co-creation when implementing, monitoring, and reporting a National Action Plan

Australia committed to facilitating public engagement throughout the implementation, monitoring and reporting against the first National Action Plan 2016-18.

In May 2017, the Interim Working Group endorsed guidance about how Australian Government agencies should engage civil society in implementing Australia's OGP commitments. This guidance

complemented and supported work being progressed on Commitment 5.2, which established a new Australian Government framework for public participation and engagement.

Since July 2017, the OGP Australia website has had a dashboard detailing progress of all 15 commitments. The form of the updates, identical to the reporting included below as part of this End of Term Self-Assessment Report, features accessible and easy-to-understand information on the implementation status of commitments (including a traffic-light rating system), as well as detailed reporting against milestones, links to consultations and reports, reasons for any delays, and next steps. It was updated approximately every two months, or more frequently if this was warranted.

In addition to being published online, updates were also provided to the Open Government Forum as part of their regular meeting papers. These papers were also uploaded to the OGP website. This facilitated the Forum's ongoing monitoring of implementation of all commitments, and their deliberations on how to improve implementation. Between the establishment of the Forum in July 2017 and the completion of the National Action Plan 2016-18 implementation period in August 2018, the Forum met a total of seven times (July, October, December 2017 and February, April, May, June 2018). These meetings were predominantly held in the Department of the Prime Minister and Cabinet's Office in Canberra with one meeting in Sydney, one in Melbourne and one via teleconference.

Individual civil society Forum members also allocated between themselves selected commitments to monitor on a continuing basis. Comments made by the Open Government Forum were captured in the minutes of their meetings, and were actioned as required. Public comments and discussion of the progress of commitments was similarly encouraged through a feature on the OGP Australia website. The draft End of Term Self-Assessment Report was submitted to the Open Government Forum for their comment and feedback, and was also released in early December 2018 for a two-week public consultation and comment period. Australia proactively disseminated and promoted the comment period through multiple channels, including the OGP Australia website, email list, and social media accounts. The final End of Term Self-Assessment Report was informed by the submissions received in response to the consultation process and by updates from agencies responsible for the implementation of commitments contained in the National Action Plan 2016-18. All submissions received during the consultation process are publicly available on the OGP website, as is a summary of consultation document which outlines and responds to the feedback received.

Independent Reporting Mechanism (IRM) Recommendations

The IRM Midterm Report evaluated Australia's first National Action Plan 2016-18 by considering the development process, level of involvement by different stakeholders, and performance or potential performance of the 15 commitments.

The IRM made five key recommendations based on its evaluation, which were taken into account by the Australian Government to improve the process of National Action Plan 2016-18 implementation. The recommendations from the IRM were particularly useful in helping the OGP Secretariat and the Open Government Forum to develop new commitments for the second National Action Plan 2018-20.

Recommendation 1. *Broaden the range of stakeholders and interests reflected in the open government process at the Commonwealth level, including increasing civil society collaboration in government decision-making structures and processes. This should at least result in a new commitment topic for the next action plan.*

In the developing the second National Action Plan, the Government sought to ensure a broader range of non-Commonwealth stakeholders were involved in consultations and represented in new commitments. For example, as part of the commitment to engage States and Territories to better understand information access, we have a commitment to work with State and Territory Governments to raise awareness of the OGP, support collaboration and learning on open government matters, and highlight the opportunity for formal cooperation and subnational membership. Through the commitment to improve public service practices using placed-based approaches, we are endeavouring to broaden the interests represented in the OGP commitments by exploring ways in which the Government can improve its capacity to deliver placed-based programs – particularly in Indigenous communities.

Recommendation 2. *Developing a whole-of-government approach to enhancing awareness and support for open government initiatives, including by monitoring, evaluating and publicising their impact.*

Throughout the entire OGP cycle for both of Australia's National Action Plans, the Department of the Prime Minister and Cabinet committed to ensuring a whole-of-government approach towards enhancing awareness and maintaining support for Open Government commitments. The primary mechanism through which this has been achieved is the Open Government Forum and the Government representation on this body. The Open Government Forum is regularly given updates on how commitments are tracking and minutes of these discussions are published on the Australian OGP website. The Department also maintains strong officer-to-officer level linkages with all agencies that have responsibility for the commitments contained in both National Action Plans.

Recommendation 3. *Establish a collaborative multi-stakeholder forum to work on establishing a federal anti-corruption agency and lobbying and political donation reform initiatives.*

On 13 December 2018, the Government announced it would establish a Commonwealth Integrity Commission and commenced a two-week public consultation process on a proposed model. The Attorney-General's Department will convene a consultation session with civil society stakeholders—including members of the Open Government Forum—in early 2019 to discuss the proposal.

he ideas recommended by the IRM were considered in the development of commitments in the second National Action Plan, and led to commitments to strengthen the National Anti-Corruption Framework and enhance transparency of political donations and funding. These commitments will be monitored and overseen by the Open Government Forum.

Recommendation 4. *Detail a comprehensive process for reform of information management and access practices within Commonwealth government agencies, including the current and possible*

future roles of Archives, the Digital Transformation Agency, and the Australian Information Commissioner in that reform.

The second National Action Plan includes the commitment 'Improve the sharing, use and reuse of public sector data' which aims to increase data access and use within government and with trusted users outside government, while improving data privacy and security with strengthened and consistent safeguards. This builds on Commitments 2.1 and 2.2 in the National Action Plan 2016-18, which includes the implementation of the new *Commonwealth Data Sharing and Release Act* and the establishment of a new National Data Commissioner.

Recommendation 5. *Expand the role of the Open Government Forum to include consideration of open government initiatives at the state and territory level to enhance coordination between jurisdictions and to explore development of sub-national open government action commitments.*

The National Action Plan 2018-20 contains the commitment to engage States and Territories to better understand information access, seeks to work with State and Territory Governments to raise awareness of the Open Government Partnership, support collaboration and learning on open government matters, and highlight the opportunity for formal cooperation and subnational membership. The commitment also engages State and Territory Information Commissioners and Ombudsmen to seek agreement to conduct surveys to measure citizens' awareness of the right to access government information, and their experiences and outcomes in exercising that right.

State and Territory representation on the Open Government Forum currently includes the NSW Information Commissioner as one of the government members of the Forum.

Implementation of Open Government Commitments

Australia's first Open Government National Action Plan 2016-18 contains 15 commitments. For the purpose of this Report and consistent with the Midterm Self-Assessment Report, status reporting for Commitment 3.3: Improve the discoverability and accessibility of government data, has been split into five different streams, reflecting different processes and outcomes for each focus.

Reporting below includes, for each commitment, a status assessment of each milestone, and an overall status assessment. The overall status assessment reflects the lead agency's assessment of total performance against all milestones:

1.1: Improve whistleblower protections in the tax and corporate sectors	✔ **Completed**
1.2: Beneficial ownership transparency	→ **Substantial**
1.3: Extractive industries transparency	❗ **Limited**
1.4: Combating corporate crime	→ **Substantial**
2.1: Release high-value datasets and enable data-driven innovation	→ **Substantial**
2.2: Build and maintain public trust to address concerns about data sharing and release	→ **Substantial**
2.3: Digitally transform the delivery of government services	✔ **Completed**
3.1: Information management and access laws for the 21st century	→ **Substantial**
3.2: Understand the use of freedom of information	✔ **Completed**

3.3: Improve the discoverability and accessibility of government data: Public data	✓ **Completed**
3.3: Improve the discoverability and accessibility of government data: Grants	✓ **Completed**
3.3: Improve the discoverability and accessibility of government data: Corporate and administrative reporting	✓ **Completed**
3.3: Improve the discoverability and accessibility of government data: Archived records	✓ **Completed**
3.3: Improve the discoverability and accessibility of government data: Environmental information	✓ **Completed**
4.1: Confidence in the electoral system and political parties	→ **Substantial**
4.2: National Integrity Framework	! **Limited**
4.3: Open contracting	✓ **Completed**
5.1: Delivery of Australia's Open Government National Action Plan	✓ **Completed**
5.2: Enhance public participation in government decision making	→ **Substantial**

	1.1: Improve whistleblower protections in the tax and corporate sectors	✓ **COMPLETED**

This [commitment](#) will ensure Australia has appropriate protections in place for people who report corruption, fraud, tax evasion or avoidance, and misconduct within the corporate sector. This will be achieved by:

- introducing whistle-blower protections for people who disclose information about tax misconduct to the Australian Taxation Office, and

- strengthening and harmonising corporate whistleblower protections with those available in the public sector.

In the 2016-17 Budget, the Government announced the introduction of new arrangements to better protect tax whistleblowers as part of its commitment to strengthening the integrity of Australia's tax system. Currently, there are no specific protections for tax whistleblowers and the current range of tax secrecy and privacy provisions are incapable of guaranteeing absolute protection.

This commitment will advance the OGP values of public accountability and transparency by:

- encouraging, protecting and compensating whistle-blowers whose information reveals artificial tax structures and misconduct, and

- reducing other forms of corruption, fraud and misconduct by ensuring corporate whistle-blowers are encouraged to come forward, are protected and are compensated.

Current status

The *[Treasury Laws Amendment (Enhancing Whistleblower Protections) Bill 2018](#)* was first introduced into the Senate on 7 December 2017 and passed through Parliament on 19 February 2019.

The Bill is a significant milestone: it creates a single, comprehensive whistleblower protection regime covering the corporate, financial, insurance, superannuation, and credit sectors. It also establishes a new tax whistleblower protection regime to encourage and protect tax misconduct disclosures.

The Government formulated its whistleblower reforms following extensive public consultation and with advice from the Whistleblower Expert Advisory Panel.

On 22 March 2018, the Senate Economics Legislation Committee delivered a report (Senate Report) on the Bill. It made three recommendations including a recommendation that the Bill be passed. Additional comments were made by Labor and the Australian Greens, who made one recommendation. A dissenting report from Centre Alliance included twelve recommendations for the Bill.

Parliamentary amendments, which address many of the recommendations within the Senate Report, were passed by the Senate on 6 December 2018.

On 30 November 2016, the Senate referred [an inquiry into whistleblower protections in the corporate, public and not-for-profit sectors](#) to the Parliamentary Joint Committee on Corporations and Financial Services for report by 30 June 2017. After receiving an extension, the report was released on 13 September 2017 (PJC Report).

The reforms in the abovementioned Bill address many of the recommendations in the PJC Report. The Government is considering the remaining recommendations and will release its response to each of the PJC Report recommendations in due course.

Contact

The Treasury: whistleblowers@treasury.gov.au

Other Stakeholders

Government: Australian Taxation Office, Australian Securities and Investments Commission, Australian Prudential Regulation Authority, Attorney-General's Department, Department of the Prime Minister and Cabinet and other relevant agencies, state and territory governments, Parliament of Australia and Government appointed Expert Advisory Panel of academia and industry experts.

Non-Government: Corporations, peak industry bodies (including Law Council of Australia, tax advisors, other law and accounting bodies), non-government organisations (including Australian Open Government Partnership Network, Transparency International Australia, Accountability Round Table), Board of Taxation, academia, and whistleblowers.

Results and Impact

The principles of openness, accountability and public engagement have been intrinsic throughout the National Action Plan 2016-18 process, and the primary positive impact that has resulted has been the development of legislation that would deliver a stronger whistleblower protection framework. For example, the first milestone required establishing a Parliamentary Inquiry into ways to improve whistleblower protections, which led to a Parliamentary Committee conducting a review and delivering 35 recommendations to strengthen whistleblower protections across the public and private sectors to the Government.

The public consultations, as part of the second milestone, offered stakeholders, including professional firms and industry bodies the opportunity to comment on how to improve whistleblowers protections. This information revealed broad support for introducing tax whistleblower protections and to strengthen existing corporate whistleblower protections, and had the benefit of increasing public engagement by the Government.

Lessons Learned

Through implementing the milestones, lessons have been learnt which could be leveraged to improve future National Action Plans and their implementation. The last milestone related to introducing legislation for the protection of whistleblowers has been delayed as the Bill is awaiting consideration by the Senate. Completion of this last milestone is contingent on processes outside the control of Government. Notwithstanding the fact that five out of six milestones of this commitment being completed, the overall commitment remains outstanding. With this in mind,

future drafting of milestones to better reflect things that are within the control of Government would be beneficial.

Next Steps

The Whistleblower Protections Bill is now awaiting Royal Assent.

Milestone Status	Implementation Timeline	Completion level
Establish Parliamentary inquiry.	Nov 2016	✅ Completed
Treasury to release a public consultation paper covering both tax whistleblower protections and options to strengthen and harmonise corporate whistleblower protections with those in the public sector.	Dec 2016	✅ Completed
Development and public exposure of draft legislation for tax whistle-blower protections (informed by consultation).	May-Jul 2017	✅ Completed but delayed
Recommendation to Government on reforms to strengthen and harmonise whistleblower protections in the corporate sector with those in the public sector (informed by consultation).	May-Jul 2017	✅ Completed
Finalise and introduce legislation for tax whistleblower protections.	Aug-Dec 2017	✅ Completed
Introduce legislation to establish greater protections for whistleblowers in the corporate sector, with a parliamentary vote no later than 30 June 2018.	Dec 2017-Jun 2018	✅ Completed but delayed

	1.2: Beneficial ownership transparency	SUBSTANTIAL

This [commitment](#) will improve transparency of information of beneficial ownership and control of companies available to relevant authorities. This will assist these authorities to address illegal activities of tax evasion, money laundering, corruption and terrorist financing.

The [Financial Action Task Force](#) (FATF) has developed internationally recognised standards for combating of money laundering and the financing of terrorism. This commitment will progress Australia's compliance with the relevant standard on beneficial ownership of companies and advance the OGP values of transparency and accountability in business by:

- improving the effectiveness of our legal, regulatory and institutional frameworks
- deterring the misuse of corporate structures for illicit purposes such as corruption, tax evasion and money laundering
- protecting the integrity of the financial system, and
- increasing growth through private sector investment.

Current status

Treasury has considered submissions to the public consultation. The non-confidential submissions to the consultation have been published on the Treasury website and can be accessed [on-line](#).

The Government is considering what action may be needed to increase the transparency of beneficial ownership. Next steps will include development of any necessary legislative reforms and their implementation.

The Government reaffirmed its commitment to improving transparency around who owns, controls and benefits from entities to assist relevant authorities in combating illicit activities in its [response to the Black Economy Taskforce Final Report and to assist in assuring the integrity of government contracts](#).

Delayed Milestone

This is under Government consideration.

Contact

The Treasury: beneficialownership@treasury.gov.au

Other Stakeholders

Government: Attorney General's Department, Australian Securities and Investment Commission, G20, Australian Taxation Office, Australian Transaction Reports and Analysis Centre, Australian Criminal Intelligence Commission, Office of the Australian Information Commissioner, regional partners and Australian Accounting Standards Board, state and territory governments.

Non-Government: Companies, peak bodies (including Law Council of Australia), non-government organisations (including Australian Open Government Partnership Network, Publish What You Pay Australia and Transparency International Australia), reporting entities under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*, FATF, Global Forum, international tax partners.

Results and Impact

Although Australia's commitment to work to improve transparency of information on beneficial ownership and control of companies available to competent authorities has not yet been completed, progress has been made through the completion of the commitment's first two milestones.

The two completed beneficial ownership milestones required a consultation paper to be released, as well as conducting consultations with the corporate sector, non-government organisations and the public on different ways to improve transparency of beneficial ownership. These provided the Treasury with the community's views on what is considered an appropriate amount of information that companies should be collecting from their shareholders, different ways to collect this information, as well as what industry believed to be a reasonable burden on businesses.

Additionally, providing an avenue to contribute feedback gave industry as well as the public an opportunity to engage with Government policy, and help to promote awareness for the problems that regulators currently face in identifying the entities and individuals that control and benefit from the financial activities of a company in Australia. This engagement with the community on these issues has the further positive benefit of promoting openness and accountability in Australia.

Lessons Learned

Whilst achieving these milestones, there have difficulties encountered that have been reflected in the revised approach for commitments in the second National Action Plan 2018-20. A first lesson was that milestones that require authority that is outside of what was originally provided by the Government may delay the completion of a commitment. For example, the final beneficial ownership milestone is to begin work to implement Government decision on transparency of beneficial ownership of companies.

This milestone cannot be completed without seeking further authority from the Government. This relates to a second lesson, which is that where a milestone relies on further Government authority, the ability to provide public updates as required by the OGP process is very limited as we cannot always comment publicly on internal Government processes.

Next Steps

The Government is considering what action may be needed to increase the transparency of beneficial ownership. Next steps will include development of any necessary legislative reforms and their implementation.

Milestone Status	Implementation Timeline	Completion level
Treasury to release a [public consultation paper](#) seeking views on the details, scope and implementation of a beneficial ownership register for companies. The consultation will also consider the use of nominee shareholdings to conceal beneficial ownership.	Feb-Apr 2017	✓ **Completed**
Treasury is continuing to consult with stakeholders on this initiative. Treasury will provide a recommendation to Government on the details, scope and implementation of a beneficial ownership register for companies (informed by public consultation).	Jul 2017	✓ **Completed**
Begin work to implement Government decision on transparency of beneficial ownership of companies.	Aug 2017 - expected to continue for the duration of this Plan	! **Delayed**

	1.3: Extractive industries transparency	LIMITED

This [commitment](#) will advance the OGP values of access to information and public accountability by:

- providing timely, reliable, publicly available and independently verified data on the extractives industries' contribution to the Australian economy

- encouraging EITI adoption in resource-rich countries and support a level playing field for Australian companies seeking to invest in those markets

- demonstrating Australia's commitment to global transparency, anti-corruption and tackling tax avoidance; consistent with current domestic and international trends, and

- supporting the extractive industries' social licence to operate, demonstrating its commitment to transparent and accountable operations.

Current status

A Multi-Stakeholder Group (MSG) was established on 23 November 2016 to oversee the Extractive Industries Transparency Initiative (EITI) process in Australia. The MSG is a requirement of the EITI Standard.

The MSG has met five times since its establishment and has undertaken to review the requirements of the 2016 EITI Standard against the Australian adapted model developed by the Australian 2014 EITI pilot.

The 21 June 2018 MSG meeting focused on the independent gap analysis and the ongoing work by the Beneficial Ownership and Technical working groups.

An open tender procurement process has been conducted for the c the independent gap analysis and KPMG Australia was engaged 7 November 2018. The report is to be completed by early 2019. It will identify gaps and issues specific to Australia's ability to implement and comply with the 2016 Standard. It will not make any policy recommendations to Government. KPMG presented their initial findings during an MSG meeting 13 December 2018.

To progress Australia's understanding of the EITI 2016 Standard, the following steps have also been undertaken:

- The Technical Working Group, chaired by a civil society representative, has commenced engagement on issues surrounding implementation of the 2016 EITI Standard in relation to Project Level Reporting.

- A Beneficial Ownership Working Group has been established and is chaired by an industry representative.

- Both working groups were tasked by the MSG to identify options for implementing the 2016 EITI Standard consistent with Australia's legislative and policy frameworks. The Groups are to continue to report to the MSG.

- The MSG agreed that the future activities of the Communications Working Group and the Administrator Procurement Working Group be put on hold until such time as the MSG has finalised its candidacy application.

Department of Industry, Innovation and Science and the Department of Foreign Affairs and Trade representatives attended the EITI Board meeting 28-29 June 2018 in Berlin, Germany.

Delayed Milestones

Prior to applying for EITI Candidate Country status, an independent gap analysis, with close engagement with the MSG, will be undertaken to identify practical requirements for domestic implementation and compliancy with the EITI international standard in Australia.

Contact

Department of Industry, Innovation and Science: EITI@industry.gov.au

Other Stakeholders

Government: Department of Industry, Innovation and Science; Department of Foreign Affairs and Trade, Australian Taxation Office, Department of the Treasury, state and territory governments.

Non-Government: Multi-Stakeholder Group (MSG) with 21 voting members representing governments, the extractive industry and civil society organisations.

Results and Impact

The Australian Multi Stakeholder Group, (MSG) has provided a forum to bring together government, industry and civil society to discuss the application of the EITI 2016 Standard for Australia. This engagement with the MSG continues as we undertake an independent analysis of Australian technical and policy requirements against the 2016 EITI International Standard be undertaken, using the 2011 Australian EITI Pilot as the key point of reference.

Next Steps

An open tender procurement process has been conducted for a consultancy to undertake the independent gap analysis. The report is to be completed early 2019 and will identify gaps and issues specific to Australia's ability to implement and comply with the 2016 Standard. It will not make any policy recommendations to Government.

Milestone Status	Implementation Timeline	Completion level
Establishment of the Australian EITI Multi Stakeholder Group (MSG).	Nov 2016	✓ Completed

Australia to apply for EITI Candidate Country status.	Mar-June 2017	⚠️ **Delayed**
Australia to publish first EITI report.	18 months after obtaining EITI Candidate Country status	●●● **Not yet commenced**

	1.4: Combating corporate crime	SUBTANTIAL →

This [commitment](#) will strengthen Australia's ability to prevent, detect and respond to corporate crime, particularly bribery of foreign public officials, money laundering and terrorism financing. We plan to do so by improving the effectiveness of our legislation and exploring options to encourage companies to self-report criminal behaviour.

This commitment will advance the OGP value of public accountability by strengthening our laws and improving our ability to detect and respond to corporate criminal behaviour, in consultation with the public.

This commitment was included in the National Action Plan to explore ways to better target and enforce our financial and corporate criminal laws and thereby reduce opportunities for corporate criminals to exploit Australia's financial system for their own illicit gain.

Current status

Foreign bribery and DPAs (milestones 1 and 2)

The Minister for Justice released public discussion papers on a [proposed deferred prosecution agreement (DPA) scheme](#) (March 2017) and possible [reform of laws applying to bribery of foreign public officials](#) (April 2017). These were published on the Attorney-General's website. Information on this commitment is also published on the Attorney-General's Department website.

Public consultations on foreign bribery and DPA proposed reforms closed on 1 May 2017.

The consultation process included engagement with non-government stakeholders through the Government Business Anti-Corruption Roundtable held on 31 March 2017 (the subject of commitment 4.2) and a further consultation event held on 27 April 2017.

The Government introduced the *[Crimes Legislation Amendment (Combatting Corporate Crime) Bill 2017](#)* to the Parliament on 6 December, which will:

- remove impediments to the successful investigation and prosecution of foreign bribery and introduce a new corporate offence of failure to prevent bribery, and

- implement a Commonwealth DPA scheme to encourage companies to report corporate crime and cooperate with law enforcement.

On 7 December 2017, the Senate referred the Bill to the Senate Legal and Constitutional Affairs Legislation Committee for inquiry and report by 20 April 2018.

AML/CTF Act review (milestone 3)

Extensive public consultation was undertaken both during the statutory review of Australia's anti-money laundering and counter-terrorism financing (AML/CTF) regime and following the tabling of the report in April 2016. Consultations took place on proposals to implement the first phase of legislative proposals arising from the report's recommendations. The Department of Home Affairs is now in the process of consulting with Government and industry partners on the next phase of reforms to Australia's AML/CTF regime.

Details of the statutory review and subsequent consultation processes have and will continue to be published on the Department's website.

The *Anti-Money Laundering and Counter-Terrorism Financing Amendment Act 2017* passed the Parliament on 7 December 2017 and received Royal Assent on 13 December 2017. It commenced via proclamation on 3 April 2018.

The Act comprises the first phase of legislative reform implementing the recommendations of the statutory review of Australia's AML/CTF regime and contains a number of measures to modernise the regime. The Act regulates digital currency exchange businesses under the AML/CTF regime. The Act also provides regulatory relief to industry, including by de-regulating the cash-in-transit sector and clarifying financial institutions' correspondent banking due diligence obligations. The Act is expected to result in estimated savings to industry each year for the ten years after the measures come into force of $36,086,393. This financial impact includes average annual regulatory costs of $662,221 for business and community organisations arising from measures to regulate digital currency exchange providers.

Work has commenced on a second phase of legislative reforms to implement further recommendations of the statutory review and provide additional regulatory savings for industry. The measures contained in the Bill are intended to:

- simplify secrecy and access provisions to provide greater clarity for the use and disclosure of financial intelligence

- consolidate and simplify Australia's existing reporting requirements for the cross-border movement of cash and other items of value

- expand the ability of reporting entities to rely on customer identification procedures performed by a third party in certain circumstances

- clarify aspects of Australia's money laundering offences, and

- align correspondent banking requirements with international best practice.

Future phases of reform are also being planned to implement further recommendations from the statutory review.

The statutory review also recommended the Government develop options for regulating 'tranche two' entities (lawyers, conveyancers, accountants, real estate agents, trust and company service providers and high-value dealers) under the AML/CTF regime and undertake a cost-benefit analysis of the options developed. The cost-benefit analysis was completed on 30 June 2017 and is currently being considered by the Government.

Should the Government decide to regulate tranche two entities, these sectors would be subject to obligations under the AML/CTF regime. The nature and extent of any such obligations would be considered during further consultation with industry. The Government is committed to making the regime as efficient as possible, while continuing to meet Australia's international AML/CTF obligations.

Australian Securities and Investment Commission enforcement review taskforce (milestone 4)

The taskforce completed public consultation on a number of issues, including penalties for corporate fraud, prior to the delivery of a final report to Government.

The Taskforce was led by a Panel chaired by the Department of the Treasury, and included senior representatives from Australian Securities and Investments Commission, the Attorney-General's Department, and the office of the Commonwealth Director of Public Prosecutions, with support from an Expert Group drawn from academia and legal experts recognised for their expertise in

corporations, consumer, financial and credit law. The Expert Group provided ongoing advice and feedback to the Panel during the preparation of report and recommendations.

The final report was provided to Government in December 2017 and the Government provided its response in April 2018, which agreed, or agreed-in-principle, to all 50 recommendations. The Taskforce report and the Government response can be accessed here.

Contact

Attorney-General's Department: CriminalLaw@ag.gov.au (foreign bribery and deferred prosecution agreements scheme law reforms)

Department of Home Affairs: antimoneylaundering@homeaffairs.gov.au (anti-money laundering and counter-terrorism financing matters)

The Treasury: ASICenforcementreview@treasury.gov.au

Other Stakeholders

Government: Australian Commission for Law Enforcement Integrity, Australian Federal Police, Australian Securities and Investments Commission, Australian Transaction Reports and Analysis Centre, Commonwealth Director of Public Prosecutions, The Treasury, Department of the Prime Minister and Cabinet.

Non-Government: Industry, peak bodies (including Law Council of Australia), non-government organisations (including Australian OGP Network, Accountability Round Table), academia and international partners.

Results and Impact

The action taken so far under this commitment has contributed to strengthening our laws and improving our ability to detect and respond to corporate criminal behaviour. In particular, we expect this positive impact will be improved once the legislative reforms are implemented.

Lessons Learned

As demonstrated through the course of the statutory review of Australia's AML/CTF regime and subsequent implementation of reforms, the development of effective AML/CTF policy requires close collaboration or 'co-design' with industry.

Next Steps

The Department of Home Affairs will continue in their efforts to implement the remaining milestone around consulting on the recommendations from the statutory review of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 and associated Rules and Regulations and implementing any associated legislative reforms.

Milestone Status	Implementation Timeline	Completion level

Attorney-General's Department to review laws applying to foreign bribery and consult publicly on possible reform options.	Dec 2016-Mar 2017	✓ Completed
Respond to the consultation on a possible Australian DPA scheme and consult on possible models.	Dec 2016-Jul 2017	✓ Completed
Consult publicly on the recommendations from the statutory review of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 and associated Rules and Regulations, and implement legislative reforms.	2019	→ On track
Final report of the ASIC enforcement review taskforce to Government.	2017	✓ Completed

| <div style="background:black">💡</div> | **2.1: Release high-value datasets and enable data-driven innovation** | **→** **S**ubstantial |

Australia will continue to make more public data openly available and supports its use to launch commercial and non-profit ventures, conduct research, make data-driven decisions and solve complex problems.

By developing an open dialogue with the research, not-for-profit and private sectors to identify the characteristics of high-value public datasets, and to promote innovative use of data to drive social and economic outcomes.

This commitment will advance the OGP values of access to information, technology and innovation and public participation by:

- identifying and prioritising high-value datasets for priority release

- understanding how Australian businesses and not-for-profits are using public data

- stimulating use and re-use of public data to create social value

- providing access to and encouraging the use of public data

- identifying and addressing barriers impeding the sharing of and access to data, and

- fostering a dialogue on how public data can be made more useful.

Current status

The activities and work to support Commitment 2.1 are being managed by the Data and Digital Branch and the newly established National Data Commissioner Branch at the Department of the Prime Minister and Cabinet.

Round table discussions
Between October 2016 and April 2017, Government consulted the public, including a broad cross-section of stakeholders and sectors in a series of roundtable discussions and 'data pulse check' surveys. Participants identified key issues surrounding access to and release of public data, including privacy concerns, standards, and cultural and bureaucratic barriers.

Feedback received through the roundtables and surveys is informing the development of the high-value dataset framework. The framework will assist data custodians to identify high-value data for release.

Data Availability and Use Inquiry
On 26 November 2017, the Government announced it would create a Consumer Data Right as one of the reforms in its upcoming response to the Productivity Commission (PC)'s Data Availability and Use Inquiry report. A cross-portfolio taskforce prepared the Government's response to the report's recommendations in consultation with a range of government and non-government stakeholders.

The PC report proposes reforms to strengthen Australia's data system and give individuals more control over their digital data. Several of the recommendations relate to high value datasets, including the designation of National Interest Datasets and a public nomination process for access to high value datasets.

Response to the PC Data Availability and Use Inquiry

On 1 May 2018, the Australian Government released its response to the Productivity Commission's Inquiry into Data Availability and Use. The announcement commits to the establishment of a National Data Commissioner, who will implement and oversee a simpler, more efficient data sharing and release framework, and new legislative and governance arrangements, that will enable better use of data across the economy while ensuring appropriate safeguards are in place to protect sensitive information. The response included the establishment of a new Consumer Data Right that will give citizens greater transparency and control over their own data.

The Government also committed to establish a framework to identify Designated Datasets, whose availability and use will generate significant community-wide benefits. The Government will consider the best way to facilitate sharing and use of these datasets through the legislative consultation process.

These reforms will help Australian Government agencies, industries and researchers to share and gain access to public sector data, while maintaining the strict privacy, security and transparency safeguards essential to maintain trust in the system. The reforms will improve Australia's ability to capture the social and economic benefits from existing data.

Data Sharing and Release Legislation

On 4 July 2018, the Minister Assisting the Prime Minister for Digital Transformation released an issues paper on the development of the Data Sharing and Release Act for public comment. The Government also sought expressions-of-interest for membership to the National Data Advisory Council (see Commitment 2.2 below).

The creation of a new Commonwealth Data Sharing and Release Act will provide a simpler, more efficient framework to govern data across Government.

The Department of the Prime Minister and Cabinet is continuing consultation on the DataSharing and Release (DS&R) legislation.

- In July, the Department of the Prime Minister and Cabinet released an issues paper which outlines the scope of the new legislation and the key principles proposed to underpin the new Act. 108 written submissions received in response to the Issues paper (public submissions are available here).

- Over 80 organisations, including research institutions, businesses and peak bodies, have attended roundtables held during July-October with more planned around Australia in November.

- We continue to work across the Australian Public Service (APS), hosting eight policy co-design workshops during August and September attended by 36 Commonwealth agencies.

This is part of ongoing consultation on the design of new legislation, with further consultation expected prior to introduction.

GovHack
GovHack is a community led event that has grown since 2009 to cover 36 locations across Australia and is supported by numerous sponsors from Government and industry, in particular the Digital Transformation Agency. GovHack events continue to be supported by mentors from government agencies to assist in unlocking the value of public data in new and innovative ways.

Open Data 500
The Open Data 500 (OD500) is an online survey designed to help identify the types of government data that businesses use. The roundtable events and work undertaken by the PC response Taskforce to identify high value data across the academic, business and community sectors has

comprehensively addressed this question. The PC response Taskforce has also explored attitudes across sectors on a process to identify National Interest Datasets and a subsequent process for their release. The Government considers that this has fulfilled the policy need to understand business use of government data in a broad and strategic way, and therefore fulfilled the policy intent of undertaking a second round of the Open Data 500 initiative.

Delayed Milestone

Development of a High Value Dataset Framework has been delayed as the commitment has been subsumed into the Government's commitment to establish a National Data Commissioner and subsequently a framework to identify Designated Datasets coming out of the response to the Productivity Commission's Inquiry into Data Availability and Use. The Office of the National Data Commissioner is drawing on previous work from across the APS to reinvigorate efforts in developing a framework for identifying designated datasets. The framework is being conceptualised and scoped before thorough stakeholder engagement is undertaken.

Contact

Department of the Prime Minister and Cabinet: datapolicy@pmc.gov.au, datalegislation@pmc.gov.au

Other Stakeholders

Government: Australian Government agencies, state and territory and local governments.

Non-Government: Non-government organisations (including Australian Open Government Partnership Network, Open Knowledge Foundation, Electronic Frontiers Australia, Australian Privacy Foundation), research, not-for-profit and private sectors.

Results and impact

Implementation is ongoing as per our recent update with a strong focus on consultation through a public issues paper, privacy impact assessment and ongoing roundtable discussions being undertaken across Australia.

The Office of the National Data Commissioner (ONDC) has taken on board its experiences and feedback through OGP to design a broad public engagement process for new Data Sharing and Release legislation. As such, the ONDC are actively engaging with the public in the development of this legislation through a public issues paper, privacy impact assessment and a series of roundtables held across Australia. The ONDC will undertake further consultation as the legislation is refined and prior to its introduction.

The ONDC is designing the legislation to build accountability and transparency into Australia's data system. Mechanisms for ongoing public comment on work undertaken under the new legislative regime will also build openness and accountability as outlined under the National Action Plan 2018-20 commitment to Improve the sharing, use and reuse of public sector data.

Lessons Learned

This remains an ongoing government priority and the Department of the Prime Minister and Cabinet has now incorporated this into larger reforms being undertaken in this space. Given this,

delivering a coherent body of work has been the focus rather than separate products, particularly given the constrained resourcing environment.

The initial research undertaken as a part of this commitment has enabled the newly established ONDC to better guide implementation of these larger initiatives. In the context of the prescriptive commitments of National Action Plan 2016-18, the shift in focus has technically delayed delivery of aspects of this work. In developing commitments for the National Action Plan 2018-20, we learnt from this and designed these to be more principles based.

Next Steps

Development of a High Value Dataset Framework has been subsumed into the Government's commitment to establish a National Data Commissioner. The Office of the National Data Commissioner is drawing on previous work from across the APS to reinvigorate efforts in developing a framework for identifying designated datasets. The framework is being conceptualised and scoped before thorough stakeholder engagement is undertaken.

Milestone Status	Implementation Timeline	Completion level
Consultation to assess barriers to using data, identify the characteristics of 'high-value' data and help inform the development of the High-Value Dataset Framework, including: Roundtable discussions with the research, private and not-for-profit sectors.	Dec-Apr 2017	✅ **Completed**
Undertake the second round of the Open Data 500.	Jan-Jul 2017	✅ **Completed**
Broader public consultation through surveys, social media and blog posts.	Oct 2017	✅ **Completed**
Undertake regular meetings of the Government Open Data Community Forum for public servants from federal, state and territory, and local government to share experience and discuss their ongoing open data work.	Ongoing	➡️ **On track**
Identify and release high-value data: Develop the High-Value Dataset Framework (informed by public consultation).	Apr-Dec 2017	⚠️ **Delayed**

Develop and release a public registry of significant non sensitive datasets yet to be published on data.gov.au.	Dec 2017-Jul 2018	**Not yet commenced**
Release non-sensitive data by default, with a focus on releasing high-value datasets.	Ongoing	**On track**
Stimulate innovative use and re-use of public data 1. Review and publicise the outcomes from the pilot DataStart initiative.	Early 2017	**Completed**
2. Expand the DataStart initiative.	Jul 2017-Jul 2018	**Completed**
3. Provide support and mentoring at GovHack events.	Ongoing	**On track**

	2.2: Build and maintain public trust to address concerns about data sharing and release	
		SUBSTANIAL

Australia will build public trust around data sharing and release. We will do this by actively engaging with the public regarding how public data is being used to better communicate the benefits and understand public concerns, and we will improve privacy risk management capability across Government. This commitment aims to build trust about the use of integrated data and actively respond to public concerns about data sharing. It will comply with international best practice on open data principles and enable Australia to participate in global fora on data.

This commitment will advance the OGP values of public accountability and civic participation by:

- providing greater transparency on how Government is using the data it collects and protecting personal information

- enabling the public to engage with Government and raise issues of concerns

- enabling experts outside of Government to inform the public debate, and

- providing more targeted and effective policy, service delivery and program evaluation.

Current status

The Government is currently developing a framework to build and maintain public trust and to address concerns about data sharing and release. This framework will ensure alignment across government data and digital initiatives and will go beyond what is committed to in the National Action Plan 2016-18. Work to develop this framework draws from both research involving public focus groups, and expertise and existing work programs within Government.

The framework is on track to deliver a suite of tools and support for Government to better communicate about its data and digital initiatives. Initial priorities include a communications strategy for data initiatives, including a shared whole-of-government narrative, and a data incident management manual for data and digital incidents.

Public engagement on government data initiatives is ongoing. In the last two years, there have been public consultations about:

- the Government's response to the Productivity Commission's Inquiry into Data Availability and Use (see Current status of Commitment 2.1 for further information)

- the Multi-Agency Data Integration Project (MADIP), undertaken by the Australian Bureau of Statistics

- secondary uses of My Health record data by the Department of Health, and

- the development of new Data Sharing and Release Legislation, including consultation with a broad group of stakeholders through a public Issues Paper and a series of roundtables held across Australia, and with Commonwealth entities in policy co-design workshops.

National Data Advisory Council

In its response to the Productivity Commission's *Inquiry into Data Availability and Use* on 1 May 2018, the Australian Government reaffirmed its commitment to engage with those outside

of Government on issues of concern and to enabling experts outside of Government to inform the public debate. As part of the response, the Australian Government announced it would establish a National Data Advisory Council to advise the National Data Commissioner on aspects of its guidance, including ethical uses of data, technical best practice and international developments.

The National Data Advisory Council is intended to provide advice, based on members' experience and expertise, on proposed public engagement processes, communication approaches and the development of guidance and frameworks for appropriate use and sharing of data.

The Council will comprise cross-sectoral experts across data-driven industries, including community business research, privacy sectors and digital rights groups. The panel will be skills based, and members will ideally have:

- a strong understanding of Australia's data landscape

- an active role within the data industry

- experience with data related ethical standards

- professional authority and credibility with relevant private sector entities

- an understanding of open data and open data standards, and

- an awareness of international developments in the data space.

On 4 July 2018, the Minister Assisting the Prime Minister for Digital Transformation opened an expression of interest process for individuals to apply to be part of the Council. Expressions of interest closed on 20 July 2018. There were many very strong applicants from industry, civil society and academic sectors. The applicants are currently being reviewed. The draft Terms of Reference for the Council were circulated to the OGF out of session for information.

Privacy Code

In May 2017, the Secretary of the Department of the Prime Minister and Cabinet wrote to the Australian Information and Privacy Commissioner to confirm the Department's commitment to [working collaboratively on the development of a new Privacy Code for Australian Government agencies](#). The [*Privacy (Australian Government Agencies — Governance) APP Code 2017*](#) (the Code) commenced on 1 July 2018.

The Privacy Code strengthens the existing privacy capability of agencies by setting out the minimum requirements that the Commissioner expects of all agencies under Australian Privacy Principle 1.2. It provides consistency in privacy governance across Australian Government agencies and will play a key role in building trust in the public sector, in supporting the Government's public data agenda, and in enhancing privacy governance and capability.

The Australian Information Commissioner has released a number of supporting resources for the Code, including a face-to-face privacy officer training program, an [Interactive Privacy Management Plan](#) and [guide](#), and a [Privacy Officer Toolkit](#), and is continuing to develop resources in consultation with agencies, including a 'Privacy in Practice' e-learning program. The Australian Information Commissioner has also recently published a guidance sheet on [*De-identification and the Privacy Act*](#) and a [*Guide to Data Analytics and the Australian Privacy Principles*](#) to help agencies use, share and release data while respecting and protecting personal information. Together with CSIRO's Data61, the OAIC also released the [De-Identification Decision-Making Framework](#) to assist organisations to de-identify their data effectively.

The Government has also undertaken work in 2017 to ensure it complies with international best practice on open data principles, through Australia's adoption of the International Open Data Charter in March 2017. A letter from Assistant Minister Taylor adopting the Charter is published on

the Open Data Charter website. Australia has offered to support the Charter Secretariat as they establish the Charter working groups and test projects over the next 12 months.

Under the 2017-18 Budget announcement for the Data Integration Partnership for Australia (DIPA), resourcing of $2.842 million over three years has been allocated to address the need for a social licence from the public for the collection and use of data. This includes funding for consultants to advise on engagement, a group of eminent persons to engage with stakeholders and the public and secretariat support. For more information on the DIPA please see Department of the Prime Minister and Cabinet's website.

Delayed Milestone

Development of an ongoing and collaborative conversation with the public about the risks and benefits of data sharing and integration has been delayed as the commitment has been subsumed into the Productivity Commission's Inquiry into Data Availability and Use. In the response, the Government reaffirmed its commitment to engage with those outside of Government and to establish a National Data Advisory Council to advise the National Data Commissioner. An expression of interest process has commenced for members of the Council.

Contact

Department of the Prime Minister and Cabinet: datapolicy@pmc.gov.au

Other Stakeholders

Government: Attorney General's Department, Treasury, Fair Work Ombudsman, Australian Institute of Health and Welfare, Department of Social Services, Department of Industry, Innovation and Science and Department of Health, Department of Human Services, Australian Taxation Office and Australian Federal Police, state and territory governments.

Non-Government: Non-government organisations (including Open Data Institute Queensland, Open Knowledge Foundation, Electronic Frontiers Australia, Australian Privacy Foundation, other privacy groups, digital rights organisations), library associations and the public.

Results and impact

Implementation is ongoing as per our recent update with applications for membership of the National Data Advisory Council currently being reviewed and ongoing public consultation being undertaken across Australia.

In implementing this commitment, the Department of Prime Minister and Cabinet developed products to generate insights into public expectations about government's use of data. These insights are now informing how agencies' engage with the public when they design and deliver their data initiatives.

The Office of the National Data Commissioner (ONDC) is designing the legislation to build accountability and transparency into Australia's data system. Mechanisms for ongoing public comment on work undertaken under the new legislative regime will also build openness and accountability. The National Data Advisory Council will provide another avenue for public engagement on the new system and ensure advice is received from experts external to Government and is a key component of the National Action Plan 2018-20 commitment to *Improve the sharing, use and reuse of public sector data*.

The development of a public engagement process has improved Commonwealth agencies' capacity to more effectively engage with the public about the tangible benefits of their data initiatives. In implementing this commitment, Department of the Prime Minister and Cabinet developed a toolkit to build agencies' capacity when responding to data incidents. This includes a communications strategy that has improved how agencies engage with the public when an incident occurs.

Privacy Code

The *Privacy (Australian Government Agencies — Governance) APP Code 2017* (the Privacy Code) commenced operation on 1 July 2018 and as such it is too early to assess the results or impact the Privacy Code has had on meeting the objectives of the broader commitment. It is the intention of the Office of the Australian Information Commissioner to assess the impact the Privacy Code has had in the handling of personal information by Australian Government agencies through monitoring the nature of the enquires and complaints received as well as an recommendations made through the OAIC's assessment (audit) program.

Lessons Learned

This remains an ongoing government priority and ONDC has now incorporated this into larger reforms being undertaken in this space. Given this, delivering a coherent body of work has been the focus rather than separate products, particularly given the constrained resourcing environment.

Government and public interest in this commitment has enabled the ONDC to better guide its implementation and ensure the right balance is struck in membership to ensure the ONDC can address concerns raised.

Through the implementation of this commitment, Department of the Prime Minister and Cabinet identified a need to increase cooperation with State and Territory governments when communicating messages to the public on data use. As a result, Commonwealth and State and Territory governments are now collaborating on building trust in governments' use of data.

Next Steps

Development of an ongoing and collaborative conversation with the public about the risks and benefits of data sharing and integration has been delayed as the commitment has been subsumed into the Productivity Commission's Inquiry into Data Availability and Use. In the response, the Government reaffirmed its commitment to engage with those outside of Government and to establish a National Data Advisory Council to advise the National Data Commissioner. An expression of interest process has commenced for members of the Council.

In regard to the Privacy Code, the Australian Information intends to assess the impact it has had in the handling of personal information by Australian Government agencies through monitoring the nature of the enquires and complaints received as well as an recommendations made through the OAIC's assessment (audit) program.

Milestone Status	Implementation Timeline	Completion level
Develop an ongoing and collaborative conversation with the public about the risks and benefits of data sharing and integration: Establish an expert panel to advise Government and to help communicate: value and utility of data sharing and integration; how Government is using the data it collects; and how Government is protecting personal information.	Early 2016-Mid 2017	❗ **Delayed**
Develop and implement a public engagement process to demonstrate public-value examples and enable an ongoing dialogue with the public.	Dec 2016-Dec 2017	✔ **Completed but delayed**
Improve privacy and personal information protections in using and sharing data: Publicly release a process for Government agencies to determine whether sensitive data can be made sufficiently confidential to enable open publication.	End 2016-Early 2017	✔ **Completed**
Work with the Office of the Australian Information Commissioner to improve privacy risk management capability across the Australian Public Service.	Jul 2018	✔ **Completed**
Respond to the Productivity Commission's recommendations on consumer rights and safeguards for data.	Mar-Sep 2017	✔ **Completed but delayed**
Comply with international best practice on open data principles and participate in global fora on data: Adopt the International Open Data Charter and develop a high-level public statement with public consultation.	Mar 2017	✔ **Completed**
Participate in the International Open Data Stewards Group.	Ongoing	✔ **Completed**

1001 1010 0011	**2.3: Digitally transform the delivery of government services**	✓ COMPLETED

The Government is committed to digital transformation of government services. This commitment will mean Australia continues to invest in digital technologies. This will make government services simpler, faster and cheaper. Better services will make it easier for the public to work and interact with Government.

This commitment will advance OGP values of technology and innovation and transparency by:

- increasing public access to government services;
- making government services more efficient and cheaper, and
- Increasing transparency around performance of government services.

The Digital Transformation Agency has committed to delivering four key projects in support of this commitment:

- A Digital Transformation Roadmap
- Individual Sector Roadmaps
- A Digital Marketplace, and
- A Public Dashboard to improve transparency around the performance of government services.

Current status

The Whole-of-Government Digital Transformation Roadmap was delivered in December 2016, with the sector-wide roadmaps to be released soon. The Digital Transformation Agency has also released Beta versions of both the Digital Marketplace and the Performance Dashboard. This completes the commitment to release a Beta version of the marketplace.

Milestone 1

The Digital Marketplace is currently online and is now operating as a fully approved Live Digital Service Standard product. It opened in August 2016 with a limited number of product categories for sellers and buyers. In February 2017, the marketplace opened to an unlimited number of sellers in an increased number of categories. The Digital Transformation Agency continues to promote the Marketplace. The Marketplace has dramatically increased SME involvement and made procurement of a range of services easier.

Milestone 2

The Performance Dashboard is currently online in Public Beta. It hosts 11 services and tracks a range of measures including user satisfaction, digital take-up, completion rate and cost per transaction. The Digital Transformation Agency continues to seek additional services for the Performance Dashboard.

Milestone 3

The [Whole-of-Government Digital Transformation Roadmap](#) was delivered in December 2016.

Milestone 4

The Digital Transformation Agency developed sector wide roadmaps. The products, which went from an agency-wide roadmap to a sector wide roadmaps, augment the work already completed on the whole-of-government roadmap. The first of these sector roadmaps is the Business Sector Roadmap which was developed in collaboration with the Department of Industry, Innovation and Science, and in line with the National Business Simplification Initiative. A roadmap for initiatives that benefit individuals has also been developed. Both roadmaps have been published to www.dta.gov.au.

The Australian Government has also recently launched its Digital Transformation Strategy, that sets the vision to be among the top three digital governments worldwide by 2025 for the benefit of all Australians. This includes a Roadmap of initiatives that are improving how people and businesses engage with government, to be delivered over the next two years.

Contact

Digital Transformation Agency: dtacomms@digital.gov.au

Other Stakeholders

Government: Department of the Prime Minister and Cabinet, Department of Human Services, Department of Health, Department of Industry, Innovation and Science, all other Commonwealth Departments.

Non-government: Non-government organisations and private sector.

Results and Impact

Government agencies and departments now have a platform for reporting their service performance publicly, and a framework for measuring user satisfaction. There are currently a number of services publicly reporting on the Dashboard and are continuing to work with government to increase the number of reporting services. Through the development and release of the Performance Dashboard, the general public now has a simple way to find out about government service performance. The Dashboard has had a positive impact on the openness and transparency of this information to the public.

Lessons Learned

Performance measurement and reporting is a maturing capability across the Australian Public Service.

Next Steps

This commitment has been completed.

Milestone Status	Implementation Timeline	Completion level
Release and promote a beta version of the Digital Marketplace for ICT procurement.	Aug 2016	✓ Completed
Release and promote a live dashboard measuring the performance of government services, with user satisfaction being one of the key performance indicators.	Oct 2016	✓ Completed
Deliver a whole-of-government digital transformation roadmap.	Dec 2016	✓ Completed
Release sector-wide digital transformation roadmaps.	June 2018	✓ Completed

3.1: Information management and access laws for the 21st century

SUBSTANTIAL

This [commitment](#) will ensure Australia's information access laws, policies and practices are modern and appropriate for the digital information age.

As part of this, we will consider and consult on options to develop a simpler and more coherent framework for managing and accessing government information that better reflects the digital era, including the *[Freedom of Information Act 1982](#)* (FOI Act), the *[Archives Act 1983](#)* (Archives Act) and, where relevant, the *[Privacy Act 1988](#)* (Privacy Act) with primary focus on the Archives Act and FOI Act, which is supported by efficient and effective policies and practices.

This commitment will advance the OGP values of access to information and public accountability by:

- ensuring government information access laws are modern and capable of meeting the demands of the digital age
- increasing awareness of public access rights to government information, and
- improving the efficiency of processing access to information requests.

The core frameworks of Australia's information access laws (in particular the FOI Act and the Archives Act) remain substantially the same as when they commenced in the early 1980s when government operated in a paper-based environment. It is therefore timely and appropriate to consider how access to government information is best managed in the future in the context of digital government.

In 2010 the Government passed reforms to the FOI Act as part of a broader plan to improve transparency and to encourage public engagement in decision-making. Since then, there have been a number of reviews recommending changes to the FOI Act, including:

- Dr Allan Hawke's report, [Review of the *Freedom of Information Act 1982* and *Australian Information Commissioner Act 2010*](#) (2013)
- Ms Barbara Belcher's report, [Independent Review of Whole-of-Government Internal Regulation](#) (2015) (Belcher Review), and
- Professor Peter Shergold's report, [Learning from failure: why large government policy initiatives have gone so badly wrong in the past](#) (2016).

The Belcher Review made a number of recommendations relating to information frameworks, including in the areas of information and communications technology, planning and reporting, publishing and tabling, Senate continuing orders, FOI, and the Protective Security Policy Framework. Notably, the Belcher Review found there was duplication, inconsistency and a lack of coherence in the operation between information access schemes under the FOI Act, the Privacy Act and the Archives Act.

Recommendation 18.4 of the Belcher Review (which the Attorney-General's Department is responsible for implementing) is linked to Commitment 3.1, and is:

> **Recommendation 18.4:** Attorney-General's Department begin work with relevant entities to scope and develop a simpler and more coherent legislative framework for managing

and accessing government information during its life-cycle in a digital environment through staged reforms, commencing with legislation regulating archives.

The implementation of Commitment 3.1 and recommendation 18.4 provides an opportunity for a holistic assessment of information frameworks and consideration of wide-ranging legislative and policy reform. Reform to information frameworks would provide strong support to information projects across Government by setting the overarching framework for information management and access, and providing a strong driver to progress reforms in policy, technology and culture.

Current status

The Attorney-General's Department has highlighted Commitment 3.1, along with its other OGP commitments, on the Department's website. Submissions and names of attendees at public consultations on Commitment 3.1 are available on-line.

The Attorney-General's Department has complied with the *Interim Working Group guidance for agencies in implementing OGP commitments, May 2017*, as applicable to Commitment 3.1.

Milestone 1

In January to June 2017 The Attorney-General's Department undertook a discovery phase of user research, consulting with a broad range of stakeholders (government and non-government) to better understand how current information frameworks operate in practice. On 19 June 2017, the Attorney-General's Department's Facebook page also sought feedback on user experiences. The Attorney-General's Department adopted the Digital Transformation Agency user-centred design approach to consultation, to better understand what users need, expect and experience. For this purpose, the Attorney-General's Department held discussions with a total of 113 individuals:

- 33 government agencies, including government stakeholders specified in the National Action Plan: the National Archives of Australia (the Archives), the Office of the Australian Information Commissioner (OAIC) and the Department of the Prime Minister and Cabinet, as well as state/territory information commissioners (Information and Privacy Commission NSW and the Office of the Victorian Information Commissioner)

- 28 civil society members, including those specified in the National Action Plan, members of non-government organisations (Accountability Round Table, and Australian Privacy Foundation), peak bodies (including Law Council of Australia and Australian Press Council), archivists, academics and researchers, and

- 10 end users.

On 25 July 2017, the Attorney-General's Department held a showcase (information session) to present its findings from the discovery phase to key Government stakeholder agencies: Department of Finance, the Archives, the OAIC and the Department of the Prime Minister and Cabinet (OGP Secretariat). The Department of Human Services also attended as mentor of the Attorney-General's Department adoption of user-centred design and of the Digital Transformation Agency's Digital Service Standard. The Showcase included the following agenda items:

- an oral briefing from the Attorney-General's Department project team outlining its key findings

- information about the Attorney-General's Department 'Policy Jam' (workshop) on 30-31 August 2017, and

- updates from agency attendees on the status of their OGP commitments and any related projects.

Milestone 2 and 3

On 30-31 August 2017 the Attorney-General's Department held a Policy Jam facilitated by the Department of Human Services Design Hub to continue its user-centred design approach to implement Commitment 3.1. The Policy Jam was developed under the guidance of a team from the Attorney-General's Department, Department of Human Services, the Archives, the OAIC and civil society representatives, including the Interim Convenor of the Steering Group of the Australian Open Government Network. Participants included:

- government stakeholders specified in the National Action Plan (the Archives, the OAIC and Department of the Prime Minister and Cabinet) and state/territory information commissioners (Information and Privacy Commission NSW and the Office of the Victorian Information Commissioner), and

- civil society stakeholders specified in the National Action Plan: members of non-government organisations (Accountability Round Table), peak bodies (Law Council of Australia), archivists and academics.

The aim of the Policy Jam was for the Attorney-General's Department to present its findings of the discovery phase and for government, non-government and civil society stakeholders to come together to develop and co-design reform options to make access to, and management of, government information easier in the 21st century. Common themes raised by Policy Jam participants included views that:

- cultural reform is required to make systemic improvements to the creation and management of, and access to, government-held information

- it is important to recognise that the Government holds information in trust on behalf of the public and the Government should also consider how to give individuals greater ability to choose how and when information about them is shared

- cost efficiencies should be considered, including what information management solutions are currently available and how to leverage existing systems, and

- reforms should include measures to improve education of public servants and the community on information access and management issues.

The options developed at the Policy Jam informed and assisted in the development of a recommendation to Government under Milestone 4 below. Further information about the Policy Jam is available on Attorney-General's Department [website](#).

Milestone 4

In December 2017 the Attorney-General's Department provided recommendations for the Government's consideration setting out possible next steps to improve the operation of current information management and access frameworks. The recommendations took into account the options developed at the Policy Jam along with other feedback from the consultation to date. The recommendations were re-submitted to the Government in March 2018 following the appointment of the new Attorney-General.

Contact

Attorney-General's Department: informationframeworks@ag.gov.au

Other Stakeholders

Government: National Archives of Australia, Office of the Australian Information Commissioner, and Department of the Prime Minister and Cabinet.

Non-Government: Non-government organisations (including the Accountability Round Table, and Australian Privacy Foundation), peak bodies (including Law Council of Australia, Australian Press Council, and Media Entertainment and Arts Alliance), archivists, academics and researchers, journalists, and state/territory information commissioners.

Results and Impact

After considering stakeholder insights and identifying key themes, Attorney-General's Department developed, in consultation with stakeholders, a range of options for reform to information access laws, policies and practices, including consideration of oversight mechanisms. These options will form the basis for future Government consideration of approaches to reform the framework for information management and access in a way that is appropriate for the digital information age.

This commitment has enabled the effective development of options for the reform of government information access laws.

Lessons Learned

As part of Australia's Open Government National Action Plan 2016-18, the Government committed to ensure our information management and access laws, policies and practices are modern and appropriate for the digital information age. The Attorney-General's Department undertook a discovery phase of user research, consulting with a broad range of stakeholders (government and non-government) to better understand how current information frameworks operate in practice. The Attorney-General's Department has adopted the Digital Transformation Agency's user-centred design approach to consultation, to better understand what users need, expect and experience. As a result of this process, we have a better understanding of how current information frameworks affect government in practice.

Next Steps

Recommendations setting out possible next steps to improve the operation of current information management and access frameworks is with Government for consideration. These recommendations were re-submitted to the Government in March 2018 following the appointment of the new Attorney-General.

Milestone Status	Implementation Timeline	Completion level
Undertake work with a range of stakeholders (government and non-government) to better understand how current information frameworks operate in practice and identify issues.	Jan-Mar 2017	✅ **Completed**

Develop, in consultation with stakeholders, a range of options for reform to information access laws, policies and practices, including consideration of oversight mechanisms.	Mar-Jun 2017	✔ **Completed**
Conduct broad public consultation on options for reform to information frameworks.	Jul-Aug 2017	✔ **Completed**
Recommendation to Government, informed by consultation outcomes, on preferred reforms to deliver a coherent and simpler framework for information management and access, supported by effective and efficient policies and practices, that is appropriate for the digital information age.	Sep-Dec 2017	✔ **Completed**
Implementation of Government decision on reforms to information access laws, policies and practices.	Jan 2018-July 2019	→ **On track**

3.2: Understand the use of freedom of information

COMPLETED

This [commitment](#) aims to better measure and improve our understanding of the public's use of rights under freedom of information laws. We will do this by working with states and territories to develop uniform metrics on public use of freedom of information access rights, and by collecting and publishing this data. There is currently a lack of a baseline, coherent national perspective that incorporates all jurisdictions.

The outcome will be a national view of the use of FOI laws which will help build a more complete picture of freedom of information rights in Australia and could help governments improve processing of information access requests. Importantly, international measurements have been developed by the World Justice Project and published as the [Open Government Index 2015](#). That index considers four quadrants to measure open government, and ranks countries around the world. The quadrants are:

1. publicised laws and government data
2. the legislated right to information
3. opportunities for civic participation, and
4. complaint mechanisms.

The 2015 Open Government Index found that there was no relationship between the presence of right to information laws and how successfully those laws work in practice. Measuring the effectiveness of right to information laws is essential to ascertaining how they are being accessed by citizens and the operation of these laws in practice. As a democratic society it is important that we have systems in place to measure the how citizens are using the legislated right to information and the provision of information in a timely, effective manner by governments in response to citizen requests. The proposed metrics will align with World Justice Project Open Government Index measures and facilitate an assessment of the right to information, the exercise of that right and the effectiveness of that right in providing information to citizens.

The commitment directly addresses the OGP access to information and public accountability values by providing a national perspective on the operation of laws, for example identifying the extent to which decisions are made on time.

The value of the metrics is that they will:

- enable the community to compare the performance of their local FOI laws with those in other states/territories/Commonwealth and advocate accordingly
- improve community understanding of how FOI laws work
- stimulate discussion on what makes for 'good' FOI laws and performance
- support related commitments under the National Action Plan, such as Commitment 3.1 – Information management and access laws for the 21st century, and
- provide a baseline for measuring changes in FOI laws and the impact of Australia's National Action Plan.

Current status

The development of the metrics was led by the NSW Information Commissioner on behalf of the Association of Information Access Commissioners (AIAC) within the remit of each of their jurisdictions.

The AIAC established an officer-level Working Group with representatives from each jurisdiction to develop the proposed metrics. The Working Group has been supported by the NSW Information and Privacy Commission (IPC).

Consultation

The NSW IPC worked and engaged with civil society representatives on the National Action Plan Interim Working Group to develop a consultation strategy on the metrics. The recommended approach was a survey of the public.

A survey was released on 18 July 2017 and distributed broadly through the NSW IPC, AIAC, Interim Working Group and OGP Secretariat. The survey was also directly sent by the IPC to the OGP civil society distribution list and contacts nominated by civil society representatives on the Interim Working Group. It was also promoted through the OGP Australia website, IPC Bulletin and via Twitter. The survey closed on 9 August 2017.

Forty-two responses to the survey were received, including one response provided directly rather than through the survey mechanism.

The feedback was considered and used in the preparation of the final metrics presented to the AIAC at its September 2017 meeting for approval and use in delivering a dataset dashboard for publication.

Published metrics

On 27 November the IPC released the metrics and dataset on its [website](#).

Documents released are:

- the dashboard of metrics

- description of the individual metrics including data caveats

- a summary of feedback received during the consultation phase, and

- link to the jurisdictional compendium on current information access laws across Australia.

Collateral including tweets, blog posts, a joint statement from the AIAC and other materials were developed and circulated to jurisdictions to support a consistent, national communications strategy. The metrics were highlighted in an article in The Mandarin on 28 November 2017. On 27 November 2017 the IPC released the metrics and dataset on its website.

Contact

New South Wales Information and Privacy Commission: metricsconsult@ipc.nsw.gov.au; ipcinfo@ipc.nsw.gov.au

Office of the Australian Information Commissioner: ogp@oaic.gov.au

Other Stakeholders

Government: Information Commissioners (Commonwealth, NSW, NT, Queensland, Victoria and WA), and Ombudsmen (SA and Tasmania).

Non-Government: The IPC has established contact with the OpenAustralia Foundation and is engaging with other civil society representatives.

Results and Impact

On 27 November 2017, the IPC released the metrics and datasets for 2014-15 and 2015-16 via a dashboard on its website. Documents released were:

- the dashboard of metrics

- a description of the individual metrics including data caveats

- a summary of feedback received during the consultation phase, and

- link to the jurisdictional compendium on current information access laws across Australia.

Collateral including tweets, blog posts, a joint statement from the AIAC and other materials were developed and circulated to jurisdictions to support a consistent, national communications strategy. The metrics were highlighted in an article in The Mandarin on 28 November 2017.

An updated metrics dashboard was released on 3 September 2018 to include data for 2016-2017.

Since release of the metrics in November 2017, the dashboard has been accessed 32 times.

The metrics dataset has been used on a number of occasions by the media to highlight different approaches between jurisdictions. This indicates that the metrics are contributing to the evidence base on the use of rights to information access and data-informed debate.

The Australian Information Access Commissioner and Ombudsmen have committed to updating the metrics annually to continue to promote transparency, openness and accountability in relation to information access and the right to know.

As indicated above, use of the metrics dataset to date suggest that they are contributing to the evidence base on the use of rights to information access and data-informed debate.

Lessons Learned

There is significant value to be realised in collaborative work across the jurisdictions to increase openness and transparency. The cross-jurisdictional working group established for the project provided valuable input and direction in the design of the metrics.

There are also benefits to be gained from civil society and governments having visibility of performance with a single account of all comparable elements of the various state, territory and commonwealth regimes.

Consultation with civil society can significantly enhance the project outputs. Early commencement of consultation ensured civil society input was incorporated into the development of the metrics at an early stage.

Next Steps

This commitment has now been completed.

Milestone Status	Implementation Timeline	Completion level
Information Commissioners and Ombudsman to agree and publish metrics on information access rights, aligned with the Open Government Index.	Dec 2016	✓ **Completed but delayed**
Undertake pilot for data collection and validation for the 2014/15 financial year.	May 2017	✓ **Completed**
Data collection and validation for the 2015/16 financial year.	Jul-Nov 2017	✓ **Completed**
Publicly release dataset on 2015/16 metrics.	Dec 2017	✓ **Completed**

	3.3: Improve the discoverability and accessibility of government data: Public data	✓ **COMPLETED**

Australia will make it easier for the public to find, access and use government data and information. We will do this by making greater use of central portals, digital platforms and other tools to improve discoverability and accessibility.

This commitment is included in the National Action Plan based on stakeholder suggestions during consultations held in approximately August 2016. This commitment addresses a number of suggestions, including: strengthening Australia's data infrastructure; promoting 'mashable' open government data (interoperable via open standards and APIs); and improving accessibility to data from a range of topics.

Current status

The Digital Transformation Agency is working with Data61 to develop the next generation of the data.gov.au platform. Together we have released an alpha version of new search functionality at search.data.gov.au and have shared early concepts of potential functionality. Since its launch in March 2017 the alpha search has been accessed by over 3,300 users.

Live platform elements for data.gov.au have been delivered and there is now better integration between data.gov.au and NationalMap providing more efficient workflow for the publishing and discovery of spatial data. In addition, the Chief Technology Officer group within the Digital Transformation Agency is actively working on the design and prototyping of further capabilities and this is on track for completion by June 2018.

We are exploring ways to make data.gov.au more robust, including strengthening some of the backend functionality such as admin user interfaces and the ease with which the website is easily (re)deployed. This functionality will help ensure future owners of the website can easily deploy the website with little specialised expertise in open data portal infrastructure, should responsibility move to a different government agency.

Our aim is to continue sharing the work we are doing to improve data.gov.au. We invite feedback and comments from the public about the new functionality and features.

The activities and work to support Commitment 3.3 are a part of the work plan of the Digital Transformation Agency. Additionally, Data61 received funding through the National Innovation and Science Agenda to develop platforms for high value open data platforms. Data61 uses this funding as part of its work on this commitment.

The new platform design for data.gov.au, with a redesigned user interface and improvement to search and discovery has been completed and launched.

Contact

Digital Transformation Agency: data@digital.gov.au

Other Stakeholders

Government: CSIRO's Data61

Results and impact

Through MAGDA, we have increased the number of datasets available by 40,000 (133%). We also have a product that is being reused across multiple jurisdictions and piloted as an internal solution through the new Agency MAGDA PfOD program. We will be undertaking ongoing user research to evaluate, refine and improve the data.gov.au portal in future, which is a new possibility with MAGDA. The addition of new datasets, federation of multiple data portals and inclusion of data quality for the first time are all identifiable impacts on the openness of Australian Government data.

Lessons Learned

Application of the Digital Service Standard and Digital Transformation Agency's Design System has helped the team to deliver the outcomes in a shorter time period.

Next Steps

This commitment has now been completed.

Milestone Status	Implementation Timeline	Completion level
Work with Data61 to conduct research and discovery into data consumption (to better understand user behaviours and needs) and publishing (to improve quality, timeliness and value of published data).	Mid 2017	✓ **Completed**
Work with Data 61 to create, circulate and gather feedback on design concepts and prototypes for improved search functionality and user experience on the data.gov.au platform.	Late 2016- Late 2017	✓ **Completed**
Deliver live platform elements for data.gov.au, including integration with NationalMap to provide a more efficient workflow for the publishing and discovery of spatial data.	Early 2017- Late 2017	✓ **Completed**
Design and prototype further data.gov.au platform capabilities, including: functionality to promote examples and collaboration using public data; and integration with other platforms for open data projects and third party open data platforms.	Early 2017- Mid 2018	✓ **Completed**

	3.3: Improve the discoverability and accessibility of government data: Grants	✓ **COMPLETED**

Under this [commitment](#), the Government is building [GrantConnect](#), a central whole-of-government system that will forecast and publish grant opportunities, automatically notify public users of grant opportunities of interest, and publish information on grants awarded.

Current status

GrantConnect (Phase 1 – discovery and notification of Commonwealth grant opportunities and grant guidelines) went live on 6 February 2017. Publication of grant opportunities and guidelines on GrantConnect, by all non-corporate Commonwealth granting entities, became mandatory on 30 April 2017.

From 31 December 2017, relevant entities have reported grants awarded on GrantConnect. Statistical information on grant opportunities and grants awarded is available from the GrantConnect website.

Contact

Department of Finance: GrantConnect@finance.gov.au

Other Stakeholders

Government: All non-Corporate Commonwealth entities that undertake grants administration.

Non-Government: All potential grant recipients (e.g. business, not-for-profits, individuals).

Results and Impact

GrantConnect has been in operation since February 2017. From 30 April 2017, entities have been required to publish grant opportunities and associated grant guidelines on GrantConnect.

This has provided a single point of reference for the public and potential grant applicants to find out about and to apply for Australian Government Grants. As at 26 October 2018, 28 Government entities are using GrantConnect, publishing 400 grant opportunities and 53 forecast opportunities. The number of grants awarded has reached 20,181 for a value of $12.12 billion.

GrantConnect's simple registration system enables registered public users to receive automated email notifications of opportunities as they become available, thus, simplifying use of the system, increasing awareness and promoting opportunities. As at 26 October 2018, there were a total of 19,292 registered users on GrantConnect, growing at an average rate of 212 new registered users per week. As at 26 October 2018, the number of documents downloaded by users was around 34,560 and the number of email notifications sent by GrantConnect was approximately 907,700.

GrantConnect reduces time and search costs for public users and potential grant applicants.

Since 31 December 2017, entities have been required to report, in a single location, information on grants awarded on GrantConnect, enabling the public to monitor the progress of grant opportunities.

Interest by the media, academia and the public, in the information available on GrantConnect, has been steadily increasing. As at 26 October, 2018 total phone calls to the GrantConnect helpdesk is 1,618 of which 56 per cent were from the public. The helpdesk had received 3,802 emails.

GrantConnect improves discoverability for public users and potential grant applicants, introduces whole-of-government transparency and centralises reporting in a single location.

A common data set, suite of reports and the advanced search tools developed, introduces unprecedented transparency across the breadth of the Australian Government grants landscape.

GrantConnect improves available information for the Parliament and public on what grant opportunities are or have been available and which organisations have received grants.

GrantConnect improves data on how much money in provided in grants and where it has gone to, including by state/territory and postcode.

Overtime, the system will provide time-series data sets which will assist with policy development.

Lessons Learned

The decision to base GrantConnect on the existing code used for the Australian Government procurement system, AusTender, enabled successful delivery of fit for purpose application to meet timeframe and budget expectations.

While the policy development and system scoping and design aligned throughout this period, the change management and implementation could have been more cohesive between key stakeholders in the Australian Government grants environment and reduced or prevented duplication in systems activities.

Next Steps

This commitment has now been completed.

Milestone Status	Implementation Timeline	Completion level
Finance to implement Phase One of the GrantConnect platform to enable public users to: • register to receive notification on grant opportunities that match their self-defined profiles • watch forecast opportunities as they move from planning to grant opportunities open for applications, and • access grant guidelines for each opportunity and be notified about changes to grants processes.	Late 2016-Late 2017	✓ Completed

3.3: Improve the discoverability and accessibility of government data: Corporate and administrative reporting

COMPLETED

This commitment is to undertake work to make reporting of government corporate and administrative information more discoverable and accessible through digitisation.

Corporate and administrative reporting information is currently located on individual agency websites or in hard copy, making it difficult to compare and contrast documents. The Department of Finance is working to make reporting information more discoverable and accessible through the digitalisation of this information.

Current status

Following the successful development and release of a 'proof of concept' digital annual report pilot in 2017, the Department of Finance (Finance) is seeking to implement a prototype of digitalised annual reporting for Commonwealth entities in 2018. Finance expects to invite a small number of non-corporate Commonwealth entities to participate in the production and limited implementation of the new digital annual report prototype. The prototype will help Finance develop and test the digital mechanisms needed to implement digital annual reporting.

Contact

Department of Finance: accountabilityprojects@finance.gov.au; DigitalAnnualReportProject@finance.gov.au

Other Stakeholders

Government: GovCMS and Department of the Prime Minister and Cabinet.

Results and Impact

Following the successful development of a 'proof of concept' digital annual report pilot in 2017, the Department of Finance (Finance) has developed a digital annual reporting solution for Commonwealth entities in 2018, through a collaboration with 15 non-corporate Commonwealth entities, who have participated in its development and production. As at October 2018 the solution is in its final stages of development. It will be presented to relevant Parliamentary Committees for consideration by the end of 2018. The Digital annual reporting solution is forming the basis for a broader 'Transparency Portal', which will hold, and present, multiple collections of government Corporate and Administrative information.

Through the initial 2017 pilot, Finance was able to demonstrate the benefits of consolidating disparate corporate and administrative information into a single web site, thereby increasing the discoverability, search ability and analysis of existing information. Achieving this enabled Finance to pursue further development of the Digital annual reporting solution, with the support and

engagement of 15 entities piloting the system for 2017-18 reporting period. This initiative has the potential for Finance further the mechanisms of transparency and accountability between the Government, the Parliament and the Public, enabling broader consideration of a 'Transparency Portal'.

Next Steps

This commitment has now been completed.

Lessons Learned

It is important to build senior stakeholder awareness of the project and gain formal commitments from those entities contributing directly to the project deliverables or initiatives.

It is important to allocate appropriate capabilities and resourcing to establish and maintain momentum.

It is necessary to identify all stakeholders early in the work and heavily on their needs, the policy requirements and design the solution in line with this and the projects budget.

Milestone Status	Implementation Timeline	Completion level
Finance to launch the pilot of the digital corporate and administrative reporting platform	Late 2016- Late 2017	✓ Completed

3.3: Improve the discoverability and accessibility of government data: Archived records		**COMPLETED**

This commitment is aimed at making it easier for the public to find, access and use government data and information. We will do this by making greater use of central portals, digital platforms and other tools to improve discoverability and accessibility.

The commitment by the National Archives of Australia is to modernise and improve access to the national archival collection.

The National Archives can best be described as the memory of our nation: we care for, preserve and make available for public access records that document the actions and decisions of the Government reflecting Australia's history, democracy and identity. As well as preserving history, the Archives plays a key role in helping to ensure the Government and its agencies are effective, transparent and accountable to the people. The most significant records of the Government are held by the National Archives of Australia. To facilitate citizens' access to these records through digital and online channels, the Archives will continue to lead the transition from paper to digital information practices in government agencies, digitise paper records of high research value and increase the number of records available for public access.

Current status

The National Archives leads the transition of government agencies to digital information management practices so that information is created and maintained in digital formats to better support timely online access. Every year the National Archives conducts a survey to determine agencies' progress towards the targets for transitioning the Government to fully digital information practices. Known as Check-up Digital in 2016-2017, in July 2018 this survey was replaced by Check-up PLUS. The results from 2018 and comparison to previous surveys indicate that progress is being made towards the National Archives' Digital Continuity 2020 (DC2020) policy targets. It is noted that although DC2020 targets were not designed specifically for the Open Government Partnership, the DC2020 Policy is complementary to the Government's transformational agenda as well as the commitment to open government. It is therefore relevant that agencies are making progress towards more digital maturity and information sharing, supporting the goals of open government.

During 2018, the National Archives released the beta version of a new information management and data capabilities approach, replacing the previous digital information management capabilities matrix. It provides Australian Government agencies and the broader information management profession with pathways to improve skills, with particular emphasis on data for information management professionals. Improving information and data skills will lead to improved management of information and data as government and corporate assets.

Under the *Archives Act 1983*, the National Archives provides access to, promotes and interprets the national archival collection. The collection can be accessed online through the National Archives' website with new material added each week. The Archives also provides access to the collection via the National Reference Service and reading rooms in each capital city, some co-located with state or territory archives or libraries, providing a one-stop shop for researchers. The National Archives engages with diverse audiences, including school students, veterans and their

families and Australians from culturally and linguistically diverse communities to assist them to learn about our shared heritage and democracy.

From July 2016 until the end of 2018, the National Archives has proactively released over 607,000 records from over 400 groups of archival records, including records relating to the World War I repatriation case files, Mabo High Court case, the 1967 Referendum, entries to the Parliament House design competition, migrant selection documents for people displaced following World War II, and key 1992-1997 Cabinet records. Additionally the Archives has released over 111,200 records in response to applications for access received from members of the public.

Making the collection discoverable and accessible is a strategic priority. Since the inception of the first Australian Open Government Partnership National Action Plan the National Archives has added to its online collection database RecordSearch over 20 million digital images of collection material. These digitised records document a broad range of areas, including the work of the Cabinet, passenger arrivals, immigration and naturalisation processes, and military service. The Archives continues to support community organisations, government agencies and researchers to commemorate World War I and World War II anniversaries. We have made records about indigenous service personnel, military medical officers and serving and repatriated veterans from various localities available for public access.

The National Archives' focus is now on proactive digitisation to preserve records considered at risk of deterioration or obsolescence, and of the highest use and greater significance. This includes prioritising the at-risk photographic collection. The National Archives continues to work towards meeting the public's demand for accessing digitised records online.

In addition to promoting access to archival government records in reading rooms and through its website, the National Archives delivers on-line publications, exhibitions, displays and events that allow the public to engage with and explore the collection and its impact on the nation's heritage. The Archives provides an education program that introduces students and others to the national archival collection and Australia's history and develops marketing and communication programs, including media engagement, to inform the public about the National Archives and its services.

In 2016-2018, the National Archives launched new online learning resources, including Discovering Anzacs, Destination: Australia, and Vrroom (a school education learning portal). In 2017 the Archives launched its first exhibition with a fully digital experience, *Facing Two Fronts: the fight for respect*, which explores the military service of Indigenous people and the fight for social justice. In November 2018 the online exhibition *1918: A different life* was launched.
The National Archives works with a range of external organisations to expand the reach and use of the collection. In November 2016 it launched a selection of curated collection content on the Google Arts & Culture platform. The platform makes the collection more accessible to new global audiences. In 2016-2017 our national exhibition touring program delivered a number of exhibitions hosted in rural and regional galleries. These included *Without Consent: Australia's past adoption practices* and two immigration-related exhibitions, *A Place to Call Home? Migrant hostel memories* and *A Ticket to Paradise?* Our education program on immigration was further enriched, with the re-launch of our popular immigration website, *Destination: Australia*. The website can now host and connect to new immigration collections and capture individual crowd-sourced migration stories. The upgrade, which generated much positive feedback, has facilitated increased public engagement with the Nation Archives' extensive collection of photographs which document the arrival and settlement of post war immigrants.
Through its network of consultative forums in each capital city, and the planned redevelopment of its corporate website the National Archives is refocussing its public engagement mechanisms to

further encourage public input into decisions about the proactive release of records in the collection.

Partnerships were established in support of the national touring program including with the Netherlands' Nationaal Archief and the Royal Embassy of the Kingdom of the Netherlands; the Australian Government's Department of Communications and the Arts; the Department of Social Services; and the Department of Home Affairs. The National Archives worked with cultural and knowledge institutions to deliver public programs based on the use of archival material. The National Archives also renewed its partnership with the [Australian Dictionary of Biography](#) and continues to support the development of biographies and projects commemorating military service in particular regions.

The National Archives hosts annual Constitution Day Speakers Forum discussions: in 2016 in recognition of Australia's First Peoples, Stan Grant and Shireen Morris, along with Paul Barclay from ABC Radio National's *Big Ideas* discussed the topic of Indigenous Recognition and Australia's Identity – *Why is it Important?*; in 2017 the topic was *The democratic disruption: Is the Constitution alone enough to safeguard the institution of democracy today?*; in 2018 – *Parliament and Citizenship*.

Contact

[National Archives of Australia](#): archives@naa.gov.au

Other Stakeholders

Government: All Australian Government departments are required to participate in implementation of the Digital Continuity 2020 policy.

Non-Government: National Archives Consultative Forums consisting of representatives of historical, genealogical, military and other research interest groups.

Results and Impact

The National Archives' commitment under the First National Action Plan (2016-2018) is complete. The National Archives is, however, still committed to improving the understanding and appreciation of the national archival collection and its value in defining our domestic and international identity for the Australian public and internationally.

For the duration of the National Action Plan 2016-18 the National Archives has made progress in making government archival records available and discoverable through a variety of channels and programs.

The National Archives is leading the transition of government agencies to digital information management practices so that information is created and maintained in digital formats to better support timely online access. Results from a recent survey undertaken to determine agency progress towards meeting targets for transitioning the Government to fully digital information practices, indicated that progress is being made towards the Archives' Digital Continuity 2020 (DC2020) policy targets.

Our focus is now on the second [Open Government Action Plan 2018-20](#) which builds on the lessons and successes of the first Plan. It consists of commitments which further open up

government, and help realise the values of the Open Government Partnership to enhance access to information, civic participation, technology and innovation for openness and accountability. The National Archives as a stakeholder will provide input into the new commitment: Improve the sharing, use and reuse of public sector data.

Lessons Learned

The OGP objectives embody the National Archives' commitment for promotion of the official record of the nation as the essential evidence of the Australian Government's activities since 1901. The National Archives' commitment trough OGP helped to create further connections between the national archival collection and government, researchers and the community.

The National Archives mandate is to preserve and make publicly available the archival resources of the Commonwealth. New digital images of collection items are produced on-demand or proactively by the Archives. These images and newly released digital records are continuously made available online, thereby increasing access to our collection for stakeholders in all locations.

Participating in the OGP contributed to the Archives' efforts to improve understanding and appreciation of the national archival collection and its value in defining our domestic and international identity for the Australian public.

Next Steps

This commitment has now been completed.

Milestone Status	Implementation Timeline	Completion level
The Archives will lead the transition to fully digital information management practices in government agencies. Creating and maintaining information in digital formats better supports timely online access to government data online.	Dec 2016-Dec 2018	✓ Completed
The Archives will increase the number of archival records available in digital formats, including World War II service and passenger arrival records.	Dec 2016-Dec 2018	✓ Completed
Make additional groups of archival records of high research interest available for public access.	Dec 2016-mid 2018	✓ Completed

	3.3: Improve the discoverability and accessibility of government data: Environmental information	✓ **COMPLETED**

This [commitment](#) builds on progress made by the Government in recent years to work with stakeholders to make significant environmental datasets discoverable, accessible and available to all Australians to help make better decisions about environmental management.

The Department of the Environment and Energy is committed to improving the accessibility and discoverability of the data that underpins key responsibilities, such as the State of the Environment (SoE) reporting and research into the impacts of coal and coal seam gas developments on ground water.

This commitment will advance the OGP values of access to information and technology and innovation by enabling information and data reuse for economic and social benefits and increasing the accessibility, usability and discoverability of public data.

Current status

SoE Digital

The State of the Environment 2016 interactive digital platform, [SoE Digital](#), was launched on 7 March 2017. By January 2018, SoE Digital had attracted over 80 000 unique visitors, with over 16 000 dataset views and 2000 dataset downloads. The SoE 2016 content was developed by a team of independent experts supported by the Department of the Environment and Energy. This content was reviewed by stakeholders, fact checked and peer reviewed by subject-matter experts.

In parallel with the content development, the SoE Digital team worked on the information design and architecture. Strong partnerships with public and private enterprise helped resolve challenges in connecting govCMS as the platform and data.gov.au as the data host. User testing with researchers, non-government organisations, and businesses started in October 2016.

SoE Digital is a step-change in environmental reporting. User-centric design and advanced search and visualisation features make analysis accessible to anyone, anywhere.

Spatial data can be explored through SoE Digital, and datasets can be viewed through the [SoE instance of NationalMap](#). Geospatial overlays then provide the opportunity to find out new things. SoE Digital makes available over 330 government data sets, and enables previously impossible research and analysis for informing business planning and investment and policy and program design.

All data used in State of the Environment reporting is stored on [data.gov.au](#), the Government's open data portal. All of the data available for download can be found at [data.gov.au/organization/state-of-the-environment](#).

Bioregional Assessments and the impacts of coal and coal seam gas developments

Bioregional assessments involve a broad range of data from disciplines such as geology, hydrology, hydrogeology, modelling and ecology. The data has been provided by state and Australian governments, industry, technical experts, regional communities and individuals.

The information made available under the Bioregional Assessments program will be useful for the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development, state government regulators, natural resource managers, coal seam gas and large coal mine proponents, and interested community members.

Making this valuable information publicly available is an important aspect of the program. The degree of openness and potential for re-use varies between regions due to differing amounts of information and license restrictions. There are over 1,100 datasets available for download from the Government's public data information service.

Information on the bioregional assessments, the approach, methods, products data and metadata are available on-line. This Information Platform was developed from February 2015 and went live in April 2016.

Between January and June 2017 over 5,600 users, mainly from Australia, but with some users from the USA, UK and Japan, visited the site. They viewed nearly 24,000 pages of assessment content. There were over 1,100 returning users.

To allow users to explore the data and assessments visually, the bioregional assessments team has developed an on-line mapping tool, the Bioregional Assessment Explorer. The Explorer tool was launched to visualise the results for the Maranoa-Balonne-Condamine assessment in January 2018. Interactive spatial results for the remaining assessments, Hunter, Gloucester, Namoi and Galilee, were progressively made available as they were finalised in 2018.

Contact

Department of the Environment and Energy: environmentalinfo@environment.gov.au

Other Stakeholders

Government: Department of the Prime Minister and Cabinet and Data61 (National Map); Department of Finance (govCMS); Bureau of Meteorology; Geoscience Australia.

Non-Government: Private web development companies; researchers; non-government organisations; and businesses involved in defining user needs and user testing.

Results and Impact

Implementation of this commitment has continued progress by the Government in recent years to work with stakeholders to make significant environmental datasets discoverable, accessible and available to all Australians to help make better decisions about environmental management. The commitment had a positive impact through the open release of datasets and data visualisation tools for both the State of the Environment 2016 interactive digital platform and the Bioregional Assessment information platform.

Next Steps

This commitment has now been completed.

Milestone Status	Implementation Timeline	Completion level
Publish the State of the Environment 2016 report through an online information publishing and reporting platform and release the underlying data on data.gov.au.	Mar 2017	✓ **Completed**
Launch a map-based tool to visualise Bioregional Assessment results.	Early 2017-June 2017	✓ **Completed but delayed**

	4.1: Confidence in the electoral system and political parties	
		SUBSTANTIAL

This commitment will enhance the integrity of, and confidence in, Australia's electoral system.

This commitment will advance the OGP values of accountability, transparency and access to information by:

- reducing the risk of undemocratic behaviour and conduct, which leads to the perception or reality of corrupt behaviour by politicians and political parties, and

- increasing public confidence in Australian democracy.

Current status

The Government asked Parliament's Joint Standing Committee on Electoral Matters (JSCEM) to investigate a range of matters relating to the 2016 federal election

The JSCEM tabled three interim reports to date:

- Interim Report on the authorisation of voter communication (tabled 9 December 2016)

- Second interim report on the inquiry into the conduct of the 2016 federal election: Foreign Donations (tabled 10 March 2017), and

- Third interim report on the inquiry into the conduct of the 2016 federal election: AEC modernisation (tabled 21 June 2017).

A final report - Report on the conduct of the 2016 federal election and matters related thereto - was tabled on 5 December 2018.

These reports were based on an extensive public consultation process, which involved the receipt of 224 public submissions and 21 public hearings at locations across Australia.

Following a series of referrals to the High Court, the Prime Minister also asked the JSCEM to investigate options for assuring the public that all members of the Parliament are constitutionally eligible to serve. The JSCEM has finalised the following reports relating to eligibility under Section 44 of the Constitution:

- Inquiry into decisions made by the Court of Disputed Returns (tabled 6 February 2018), and

- Excluded: the impact of section 44 on Australian democracy (tabled 17 May 2018).

Informed by JSCEM's findings, the Government is taking action to enhance integrity and confidence in Australia's electoral system.

On 15 September, 2017, the *Electoral and Other Legislation Amendment Act 2017* (Authorisation Amendment Act) became law. The Authorisation Amendment Act addresses many of the recommendations of the JSCEM First Interim Report, and is expected to contribute to this commitment by enhancing the transparency of communication with voters.

On 30 November 2018 the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Act 2018* (Foreign Donations Act) became law, addressing the second JSCEM interim

report. The Foreign Donations Act contains a range of measures that seek to improve public confidence in the integrity of the electoral system by:

- improving the transparency of political finance, and

- preventing undue influence on Australian democracy, and the perception thereof.

The Government has also addressed the issues around mechanisms to assure the public that all members of the Parliament are constitutionally eligible to serve. The *Electoral and Referendum Amendment (Eligibility) Regulations 2018* introduced a voluntary checklist to change and improve the nomination process for candidates, effective from 30 May 2018. The change added an eligibility checklist to the candidate nomination forms, which candidates may choose to complete upon nomination. The Government introduced legislation on 6 December 2018 – the *Electoral Legislation Amendment (Modernisation and Other Measures) Bill 2018* - making it compulsory for candidates nominating at the next federal election to complete a checklist demonstrating their eligibility under section 44 of the Constitution.

Contact

Department of Finance: electoralpolicy@finance.gov.au

Other Stakeholders

Government: Australian Electoral Commission, Attorney-General's Department, JSCEM.

Non-Government: Political parties, non-government organisations and the public.

Results and Impact

The Government asked Parliament's JSCEM to investigate a range of matters relating to the 2016 federal election. Following a series of referrals to the High Court, the Prime Minister also asked the JSCEM to investigate options for assuring the public that all members of the Parliament are constitutionally eligible to serve.

The JSCEM has tabled seven interim reports to date, covering matters from political donations to modernisation of the Electoral Commission. These reports were based on an extensive public consultation process, involving the receipt of hundreds of public submissions and dozens of public hearings at locations across Australia.

Informed by JSCEM's findings, the Government is taking action to enhance integrity and confidence in Australia's electoral system.

On 15 September, 2017, the *Electoral and Other Legislation Amendment Act 2017* (Authorisation Amendment Act) became law. The Authorisation Amendment Act contributes to the OGP commitment by enhancing the transparency of communication with voters.

On 30 November 2018 the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Act 2018* (Foreign Donations Act) became law, addressing the second JSCEM interim report. The Foreign Donations Act contains a range of measures that seek to improve public confidence in the integrity of the electoral system by:

- improving the transparency of political finance, and

- preventing undue influence on Australian democracy, and the perception thereof.

The Government is working to assure the public that all members of the Parliament are constitutionally eligible to serve. The *Electoral and Referendum Amendment (Eligibility) Regulations 2018* introduced a voluntary checklist to improve the nomination process for candidates, effective from 30 May 2018. The checklist is published online, increasing public access to constitutionally-relevant information about candidates. Following the success of the voluntary checklist, the Government introduced legislation on 6 December 2018 – the *Electoral Legislation Amendment (Modernisation and Other Measures) Bill 2018* - making it compulsory for candidates nominating at the next federal election to complete a checklist demonstrating their eligibility under section 44 of the Constitution.

As a result of our commitment, voters have greater access to information on the political actors and the political process. Achieving this through a participatory public process has provided significant opportunities for civic education and activated public engagement and ownership of Australian democracy.

Lessons Learned

A momentum for change and fresh policy ideas can be facilitated by:

- structured engagement between government and civil society actors, and

- participation in an international framework (that is, OGP), which encourages looking to international jurisdictions to respond to common policy problems.

Next Steps

The JSCEM tabled its inquiry into the conduct of the 2016 federal election on 5 December 2018. The Government will now consider the recommendations of this report as part of its action to enhance integrity and confidence in Australia's electoral system.

Milestone Status	Implementation Timeline	Completion level
JSCEM inquiry and reporting.	2016-2018	✓ **Completed**
Government considers recommendations.	2017-2018	→ **Delayed**
Parliament and other relevant stakeholders address Government decisions.	Ongoing	→ **On track**

	4.2: National Integrity Framework	LIMITED

This [commitment](#) will strengthen Australia's ability to prevent, detect and respond to corruption in the public sector. We plan to do so by collaborating with the corporate sector, non-government organisations, academia and the public, including by holding the first Government Business Roundtable on Anti-Corruption in 2017.

We will also review the jurisdiction and capabilities of our key anti-corruption bodies, the Australian Commission for Law Enforcement Integrity (ACLEI) and the Australian Federal Police (AFP)-led Fraud and Anti-Corruption Centre (FACC), with the development of each National Action Plan to ensure they can focus on protecting Commonwealth agencies from risks of corruption.

This commitment will advance the OGP value of public accountability by improving the effectiveness of our legal, regulatory and institutional frameworks and by protecting the integrity and transparency of the execution of public policy and management.

Current status

Parliamentary Joint Committee on ACLEI's report (milestone 1)

On 13 December 2018, the Government announced it would establish a Commonwealth Integrity Commission and commenced a public consultation process on the proposed model for the Commonwealth Integrity Commission. The Government's response to the [Parliamentary Joint Committee on ACLEI's report into ACLEI's jurisdiction will be informed by this](#) process.

Government Business Roundtable on Anti-Corruption (milestones 2 and 3)

The Government Business Anti-Corruption Roundtable was held on 31 March 2017 (milestone 2).

The Government has introduced *the Crimes Legislation Amendment (Combating Corporate Crime) Bill 2017*, which would introduce the reforms discussed at the Roundtable, incorporating views expressed there and via the other public consultations held (milestone 3). The Bill will introduce reforms to the foreign bribery offence in the Criminal Code and introduce a deferred prosecution agreement scheme, which are the subject of Commitment 1.4: Combating Corporate Crime.

As these reforms were priority integrity/anti-corruption reforms under consideration by government at that time, they were the chief subject of discussions at the Roundtable.

Review the jurisdiction and capabilities of ACLEI and FACC (milestone 4)

These reviews have been delayed pending further consideration of the national integrity framework as part of the Government's commitment to review the anti-corruption framework in the second National Action Plan 2018-20. The jurisdiction and capabilities of ACLEI and FACC will now be closely examined as part of the work to develop a Commonwealth Integrity Commission.

Contact

Attorney-General's Department: anticorruption@ag.gov.au

Other Stakeholders

Government: Australian Commission for Law Enforcement Integrity, Australian Federal Police, Commonwealth Director of Public Prosecutions, Department of the Prime Minister and Cabinet.

Non-Government: Industry, peak bodies (including Law Council of Australia), non-government organisations (including Australian Open Government Partnership Network) and international partners.

Results and Impact

Engagement through the OGP process has had a positive impact in openness and accountability by providing a forum for discussion about national integrity framework and providing feedback on government initiatives. Noting the ongoing public interest in this issue, it has also been a positive forum for civil society to raise concerns about lack of progress, as well as sharing insights from work being done in other jurisdictions.

Lessons Learned

The OGP process has been positive, and provided opportunities for enhanced engagement with civil society and industry in discussions around possible reforms to Australia's integrity framework. For example, the Government Business Anti-Corruption Roundtable held on 31 March 2017 was a particularly fruitful mechanism to deepen engagement with industry.

Next Steps

The Government is consulting publicly on the proposal for a Commonwealth Integrity Commission, including through forums with government agencies and key civil society stakeholders (including members of the Open Government Forum). Subject to the outcomes of the consultation process, the Government will introduce legislation to establish the Commonwealth Integrity Commission as a matter of priority.

The Government expects to provide responses to the Parliamentary Joint Committee on ACLEI's 2016 report (milestone 1) and review the jurisdiction and capabilities of ACLEI and the FACC (milestone 4) as part of the Commonwealth Integrity Commission development process.

Milestone Status	Implementation Timeline	Completion level
Respond to the recommendation of the Parliamentary Joint Committee on ACLEI's report into the jurisdiction of ACLEI.	Early 2017	⚠️ **Delayed**
Hold the first Government Business Roundtable on Anti-Corruption to improve cooperation and consultation on anti-corruption work, and identify areas for reform.	Jul 2017	✅ **Completed**

Respond to recommendations for reform and improvement arising from the Roundtable.	Jul 2017-Aug 2017	✓ **Completed but delayed**
Review the jurisdiction and capabilities of ACLEI and FACC in consultation with the public in the context of developing Australia's next National Action Plan 2018-20.	Early 2018-Mid 2018	❗ **Delayed**

	4.3: Open contracting	
		COMPLETED

This [commitment](#) is to review the Government's compliance with the [Open Contracting Data Standard.](#)

The Open Contracting Data Standard sets out key documents and data that should be published at each stage of government procurement. The Standard enables disclosure of data and documents at all stages of the contracting process by defining a common data model. It was created to support organisations to increase contracting transparency, and allow deeper analysis of contracting data by a wide range of users.

In line with the [Commonwealth Procurement Rules](#), Australian Government entities are required to report all procurement contracts with a value of $10,000 or more on [AusTender](#). However, there has not been a formal assessment of the extent to which current practice meets the requirements of the Open Contracting Data Standard.

Current status

This commitment was for the Government to: review its existing compliance with the Open Contracting Data Standard (OCDS), publish and receive public comment on the review, and then implement agreed measures to improve compliance.

The Department of Finance engaged an independent service provider to undertake the review of the Government's compliance with the Open Contracting Data Standard. The review was completed, and in line with the guidance for agencies in implementing OGP commitments, the report was released for public comment via the [Australian Government Procurement Coordinator's blog](#) on 19 July 2017. Public consultation closed on Thursday 10 August 2017.

The review, undertaken by an independent reviewer, showed that a significant portion of the data outlined by the OCDS was already collected and published on data.gov.au – however, the publication was not in an OCDS compliant format. Finance published the review for comment, receiving five submissions. Key themes raised in submissions noted a common view that there would be benefit from adopting a higher standard of compliance with the OCDS, and that it was premature to suggest that this would be cost prohibitive. In its submission, the Open Contracting Partnership commended the Australian Government for drawing links between the OCDS and the data already collected via AusTender and published on data.gov.au. The Open Contracting Partnership suggested that changes to AusTender may not be required, and that an alternative would be to transfer existing data published on data.gov.au into an OCDS suitable format.

The Government has agreed to investigate options to achieve the suggestion of the Open Contracting Partnership – to increase its compliance with the OCDS by publishing an additional dataset of AusTender contracting data in an OCDS-compliant schema alongside the already published data. Additionally, the Government will keep the OCDS in mind when making iterative improvements to the Commonwealth Procurement Framework and the AusTender platform – specifically the data collection and publication processes and requirements – to continue to increase its compliance with the OCDS where possible and appropriate to do so.

Contact

Other Stakeholders

Government: All Australian Government entities.

Non-Government: Transparency International Australia and Publish What You Pay.

Results and Impact

The Government has agreed to a new commitment in the National Action Plan 2018-20 to progress the publication of an OCDS-compliant dataset of existing contracting data, and will work with interested stakeholders to ascertain the usefulness and benefits associated with this publication.

The commitment in National Action Plan 2016-18 highlighted the existing transparency and openness of procurement and contracting data. This positive impact will be enhanced through the delivery of the related National Action Plan 2018-20 commitment.

Lessons Learned

There were a number of lessons learned In delivering the commitment, including:

- the existing level of procurement contracting data is already extensive and largely in line with the key requirements of the Open Contracting Data Standard

- that almost all the data currently collected across entities is already published, and

- that new approaches to publishing and promoting the use of this data could be useful to interested stakeholders.

Next Steps

This commitment has now been completed. A further commitment on Open Contracting 'Expand open contracting and due diligence in procurement' has been included in Australia's second National Action Plan which seeks to progress the publication of existing Federal Government procurement data and review existing procurement for due diligence processes.

Milestone Status	Implementation Timeline	Completion level
Undertake review of compliance with the Open Contracting Data Standard.	Feb-Apr 2017	✓ Completed

Publish review and receive public comment on the review.	May-Jun 2017	✓ **Completed but delayed**
Implement measures to improve compliance with the Open Contracting Data Standard (if required).	Jun-Aug 2017	✓ **Completed but delayed**

| | **5.1: Delivery of Australia's Open Government National Action Plan** | **COMPLETED** |

This [commitment](#) establishes an Open Government multistakeholder forum, as required in the *[OGP Participation and Co-Creation Standards](#)*, to:

- monitor and drive implementation of Australia's first National Action Plan

- help develop the next National Action Plan, and

- raise awareness about open government.

Current status

This commitment has now been completed:

A 15-week process to establish a Forum, administered by a small team based at the Department of the Prime Minister and Cabinet, commenced on 17 April, 2017.

A phase of [public engagement](#) included:

- Publication on 1 May 2017 of a proposal by the Interim Working Group on how the Multistakeholder Forum might work. Four submissions were received, responding to 10 targeted questions posed in the proposal.

- A Twitter Q&A with the Interim Working Group Co-Chairs on 4 May 2017, which resulted in nearly 500 engagements (retweets and likes) and nearly 21,000 impressions.

- A public workshop in Melbourne on 17 May 2017, attended by 29 participants. About 200 viewers viewed the opening and closing of the workshop, which was livestreamed.

The Interim Working Group met on 18 May and considered the results of the consultations. It made [recommendations](#) to Government about how Australia's first multistakeholder forum, which it proposed should be called the Open Government Forum, should be appointed, structured and run. Government adopted these recommendations.

[Nominations to the Forum](#) were open from 8-22 June, 2017. 25 nominations for 8 vacant civil society positions were received. All were published online.

A selection panel, comprising Co-Chairs of Australia's Open Government Interim Working Group (Dr Steven Kennedy and Fiona McLeod) and the Hon Murray Kellam AO, assessed nominations against published selection criteria. The panel made recommendations to Government on the appointment of members.

On 21 July 2017, the Government [appointed individuals](#) to Australia's first Open Government Forum.

The first [meeting](#) of the Open Government Forum, which also served as a handover from the Open Government Interim Working Group, was held in Canberra on Friday 28 July, 2017. At this meeting, the Open Government Forum also ratified its [terms of reference](#). The Forum met six more times (approximately once every two months) throughout the implementation period of Australia's first Open Government National Action Plan 2016-18. As part of each meeting, the Forum monitored implementation of Australia's Open Government commitments. They also approved and oversaw the [process to develop second Open Government National Action Plan 2018-20](#).

Contact

Department of the Prime Minister and Cabinet: OGP@pmc.gov.au

Other Stakeholders

Government: Department of the Treasury, Department of Innovation, Industry and Science, Department of the Prime Minister and Cabinet, Attorney-General's Department, Digital Transformation Agency, NSW Information and Privacy Commission, Office of the Australian Information Commissioner, Department of Finance, National Archives Australia, Department of the Environment and Energy.

Non-Government: Civil society members of the Interim Working Group and Open Government Forum.

Results and Impact

The Open Government Forum (Forum) has convened seven times since it was established in July 2017 (July, October, December 2017 and February, April, May, June 2018).

Alongside being a primary coordination point for Australia's engagement with the Open Government Partnership, the Forum has played a critical role in monitoring of the implementation of commitments in the National Action Plan 2016-18 and in shaping the commitments for the second National Action Plan 2018-20. Furthermore, as a vehicle for learning and exchange, Government has been able to draw upon the networks and knowledge of civil society members to enhance Australia's capacity to deliver innovative and tangible Open Government outcomes for the community. Similarly, in working with high-level government representatives, civil society members

have been able gain a greater appreciation of the workings of government, helping them better navigate the process and practices involved in implementing Open Government reforms.

Lessons Learned

While the Forum performed its administrative and consultative functions according to the Terms of Reference, an important goal going forward is to wherever possible, enhance its diversity of views, representation and work program. This includes engagement with underrepresented sections of society such as young Australians, indigenous Australians and those living in regional and remote Australia. Maintaining a diverse range of views will ensure the Forum properly represents and takes into account wider concerns in the Australian community, ensuring that the commitments delivered are practical, relevant and useful.

Next Steps

Continue to support the current and future Open Government Forums, including by supporting the Co-Chairs to convene Forum meetings and to facilitate appointment and consultation processes where required.

Milestone Status	Implementation Timeline	Completion level
Establish the OGP multi stakeholder forum by partnering with civil society to determine its structure, role, governance and membership, including reporting and accountability mechanisms for this National Action Plan.	Dec 2016-Mar 2017	✓ Completed but delayed
Operation of the multi-stakeholder forum, with (at a minimum) the following responsibilities: • inform the co-creation of future National Action Plans • track and report on implementation of National Action Plan commitments • facilitate broader community engagement and conduct awareness activities that foster informed participation, including face-to-face meetings and events, and • document decisions and publish reports.	2017-Jul 2018	✓ Completed
Review the National Action Plan and update milestones and commitments (as necessary) to provide further clarity and ambition for plan.	Dec 2016-Jul 2018	✓ Completed

	5.2: Enhance public participation in government decision making	**SUBSTANTIAL**

This [commitment](#) focusses on improving participation and engagement to enhance policy and service delivery outcomes.

It has a broad range of impacts, and specifically advances OGP values of:

- Civic participation: by allowing further access to information to ensure meaningful input from interested members of the public into decisions; citizens' right to have their voices heard; and opening up decision making to more interested members of the public.

- Technology and innovation for openness and accountability: by promoting new technologies that offer opportunities for information sharing, public participation and collaboration; and making more information public in ways that enable people to both understand what their governments do and to influence decisions.

Current status

A design thinking approach, with three phases (Discover, Create, Deliver) is being applied to implement this commitment. For more information on the methodology, see the commitment's [webpage](#).

Milestone 1 - Discover phase
The Commitment's Discover Phase Report was published in December 2017. The Report provides an inspiring and comprehensive business case to improve public participation in the Australian public service (APS). Details on this phase are on our webpage.

The Discover Report is the culmination of 75 interviews with 38 public servants from 13 different agencies; and 42 members of the public from 29 organisations, including business, engagement practitioners, academia, the community sector and peak bodies. It also draws on consultations with experts and a literature review. The project team has presented on the Report to over 400 public servants, to spread awareness of public participation and to brief public servants on its findings.

Stocktake: The Report is also supported by a stocktake of current engagement practices in the APS. The stocktake is a deliverable for this Commitment.

Create phase, Ideate stage

The project team lead Ideation workshops to share the findings from the Discover phase; and draw on these findings to generate, prototype and test ideas that could improve public participation in the APS. Both public servants and civil society were represented at the workshops, with nearly 100 public servants and members of the public attending four workshops. In all, 272 ideas were brainstormed.

Create phase, Prototype stage

The project team synthesised the 272 preliminary ideas into 17 concepts – detailed initiatives and plans to improve public participation in the APS. They were shared with users (public servants and the public), and tested and refined in workshops to ensure they were robust enough to warrant

further scrutiny, and improve their chances of implementation. In total, the concepts were tested by 70 APS staff and members of the public in eight workshops. They were also tested on our Department's online deliberation platform, Dialogue, where they received 88 comments and 131 ratings (see: https://engage.industry.gov.au/getting-the-public-more-involved-in-the-public-service2019s-work).

The result of this testing and refinement is the Prototype Framework (reproduced in the Appendix below).

The Prototype includes a number of components: guiding principles, a standard that establishes a common expectation, an articulation of the ways to engage, initiatives that support meeting this expectation, a capability and resourcing backbone to drive the framework, digital solutions and feedback loops.

The prototype is not perfect, rather it presents a possibility that is to be tested and iterated with APS and civil society members. Indeed, the next steps for us is to further test the components of the prototype framework with public servants and civil society. To this end we held workshops in Canberra and Sydney. The prototype was also on Dialogue, the Department of Industry, Innovation and Science's online deliberation platform, to raise awareness and for further testing and refinement of the prototype.

The project team is going to publish the raw feedback on the Department of Industry, Innovation and Science's OGP webpage. This is partly for transparency. It also provides useful stimulus that helps carry on the conversation about how we deliver a practical framework. If anyone is interested in sharing their feedback or ideas, they can email ogp@industry.gov.au.

Current phase – Deliver

The Deliver phase of the project has commenced. The approach being adopted has three distinct stages akin to the agile methodology steps of alpha, beta and live.

We are currently drafting the alpha version by drawing on feedback from the workshops to iterate a revised version of the prototype framework. This version will be shared across government departments to seek formal comments. We will be seeking the endorsement of the Open Government Forum. The Secretaries' Australian Public Service Reform Committee has agreed to look at endorsing the framework.

In the second stage we will release across the public service a beta version of the framework that consists of the guiding principles, ways of engaging and the standard.

The final stage (live) will see all components of the framework released and working across the whole public service.

Demonstration Engagement - Business Research and Innovation Initiative (BRII)
The design of the framework is informing the BRII challenge to develop a platform that digitally enables community engagement in policy, programme and service design. BRII is a National Innovation and Science Agenda initiative that is designed to ensure that a greater share of government procurement fosters innovation. The implementing team participated in the assessment of the BRII finalists. The challengers who have progressed have attributes that will assist in addressing some of the barriers found in the research. Additionally, the challengers' proof of concept prototypes will be tested as demonstration projects for this Open Government commitment.

One of the BRII Challengers, Converlens, has successfully tendered to be the engagement platform for the Independent Review of the APS, announced by the Prime Minister on 4 May 2018. This is a major achievement for Converlens, particularly since participation and engagement have been highlighted as important for the Review. While the Review is in its early stages, initial feedback

from the team indicates they are happy with Converlens. It would be helpful to hear from civil society about their experience using the platform. Open Government Forum members may have feedback; and otherwise we will ask the Review team if they've had any feedback from civil society users.

Contact

Department of Industry, Innovation and Science: ogp@industry.gov.au

Other Stakeholders

Government: All Australian Government departments and agencies.

Non-Government: None formally involved, but a reference group has been established comprising experts and practitioners from academia, engagement consultancies and think tanks. The Create phase involves further co-design with the public.

Results and Impact

Feedback from civil society and public servants is that this commitment has helped demonstrate that more openness and better public engagement are possible – and help contribute to better outcomes with higher public trust.

For example, civil society frequently requested that we be open during the development of the Framework, and we did this through:

- publication of the draft Discover report, which included the initial findings from our problem identification stage, to allow for early public scrutiny and input

- publication of the literature review that formed part of the evidence base for the Discover phase report, and

- publication of raw feedback, obtained from workshops and from engagement with the public on the Department's consultation platform that formed part of the evidence base for the Create phase report.

We also undertook significant public engagement, particularly through workshops and presentations. During the course of developing the Framework, it was shared, co-designed and tested with almost 1,000 people from inside and outside of government. This improved the Framework and built trust in it.

Feedback from civil society also indicates our collaborative approach assisted in building empathy and relationships between public servants and civil society members. It helped civil society understand some of the constraints on government processes and our operating environment, meaning they were able to provide more practical and timely input.

Partially in recognition of these efforts, OGP International invited us to be Co-Chair of its Practice Group on Open Dialogue and Deliberation, a group of some 15 experts from seven countries.

Lessons Learned

Engagement from senior public servants and Civil Society through the OGP Forum provided useful feedback and helped build our Framework's legitimacy

As a whole of government framework, feedback and support from the Forum's senior public servants helped improve it, build legitimacy, raise awareness and will help encourage its adoption. As a framework for public participation, civil society's input has helped make it fit for purpose and seen as legitimate. Civil society members also generously connected us with their networks and contacts. This helped us obtain public feedback on the framework and public participants for workshops. These contacts made valuable contributions during the framework's development.

Future communications about open government should emphasise that it is also about building public sector capability and innovation
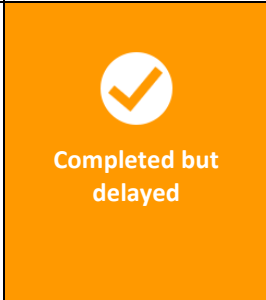
Public administration is becoming increasingly complex, and this is compounded by lower trust in government. Open government initiatives like our framework help build public sector capability and innovation, ultimately helping public servants deliver better policy, programmes and services and remain advisers of choice to governments.

In the APS, messaging about open government often states or implies that it is about improving transparency and accountability in government. While this is correct, it would be helpful to also emphasise its innovation and capability building aspect. This will make the relevance of the open government work more apparent to key stakeholders, especially public servants and ministers.

Next Steps

A draft of the alpha version of the framework is currently being drafted which draws on feedback from the workshops. This version will be shared across the APS departments to seek formal comments. We will be seeking the endorsement of the Open Government Forum. The Secretaries' APS Reform Committee has agreed to look at endorsing the framework.

In the second stage we will release across the APS a beta version of the framework that consists of the guiding principles, ways of engaging and the standard. The final stage (live) will see all components of the framework released and working across the whole APS.

Milestone Status	Implementation Timeline	Completion level
Discover phase Undertake and publicly release a stocktake of current approaches to public participation to determine best practice activities (including international and domestic examples, user experience research, methodologies to encourage adoption, and relevant standards, such as IAP2 values).	Jan 2017- Aug 2017	✓ **Completed but delayed**

Create phase Work with government agencies, the public and organisations outside of government to develop and implement a whole-of-government framework (with guidance / principles and potential public participation initiatives) for improving public participation and engagement across the Commonwealth.	Sep 2017-Dc 2017	✓ **Completed**
Deliver phase Undertake pilot public participation initiatives, including working with the BRII challengers to more effectively use digital channels for engagement. Review processes and iterate as necessary.	Mid 2018	! **Delayed**

Appendix: Design thinking methodology being applied to implement the project

The design thinking methodology, mapped to this Open Government commitment, is set out below. This methodology is used by Bizlab, the Department of Industry, Innovation and Science's Innovation Lab. As well as including processes and tools that boost innovation, design thinking ensures that users (i.e. the public) are at the centre of the work through the Open Government commitment's implementation. This boosts both the quality of work and its legitimacy in the eyes of the public.

Bizlab's design thinking project methodology: Discover, Create and Deliver
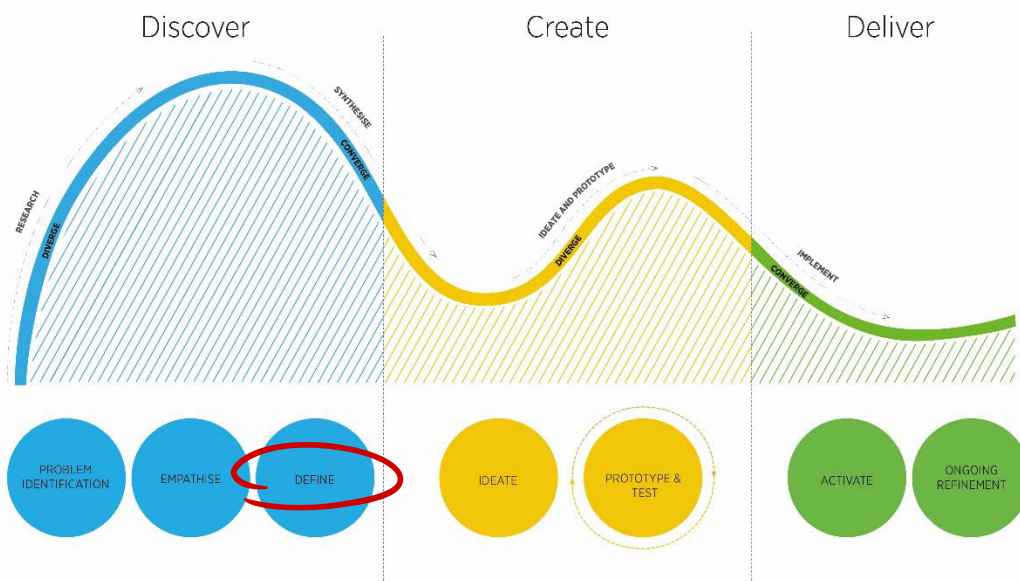
Exchange and Learning

Australia has engaged in informal, officer-level discussions with other OGP countries including New Zealand, Canada, the United Kingdom and Germany to share learnings and observations throughout the OGP cycle, including around development of our first and second National Action Plans and multistakeholder forum and preparation of the Midterm Self-Assessment Report.

Australia was represented by a delegation that included Senator the Hon Mathias Cormann, Minister for Finance and the Public Service, four government officials and eight civil society representatives at the OGP Global Summit in Paris in December 2016. At the event, Australian representatives attended meetings with the CEO of the Open Government Partnership, and the President of the Canadian Treasury Board, and participated in an OGP Ministerial Roundtable. Australia committed to two collective actions outlined in the Paris Declaration for the Open Government Partnership.

In July 2018, the Australian Government sent two Official representatives and one civil society representative from the Open Government Forum to the OGP Global Summit in Tbilisi, Georgia. At the Summit, Australian representatives engaged in:

- discussion with key members of the OGP organisation, international civil society organisations, and government officials from other countries, and

- workshops, panels and meetings on open government, the learnings of which feed into the development of Australia's second National Action Plan 2018-20.

As part of the summit, a representative from the Department of Industry, Innovation and Science presented to a Panel on an Open Dialogue Roadmap which is a key commitment in Australia's second National Action Plan and which Australia is taking a lead role in, through the OGP International's Deliberative Processes Practice Group.

Conclusion, Other Initiatives, Next Steps

The commitments contained in Australia's National Action Plan 2016-18 demonstrates Australia's commitment to a government that is open transparent, accountable, and engaging. With the majority of milestones now completed, the results and impacts for each commitment show strengthened and improved transparency and accountability in business, the availability of open data and the digital transformation of government services, access to government information, integrity in the public sector, and public participation and engagement.

The lessons learned and challenges encountered with respect to developing and implementing each commitment under the National Action Plan 2016-18, highlights the importance of consulting early and widely. A key lesson for many of the commitments was that early engagement between government and civil society led to better results and awareness. This has been taken into account in the development of the next National Action Plan for 2018-20 and in the appointment of members for the Open Government Forum.

Overall, most commitments are on track. Although some milestones are delayed, this has generally been due to factors outside the control of those in charge of undertaking the action for milestones. Having recently submitted its second National Action Plan to the global OGP, Australia's attention will now shift to the successful and timely implementation of the Plan's eight, new commitments over the 2018-20 period. As a number of commitments in the first Plan have still yet to be completed, Australia will continue to monitor the progress of these commitments alongside the new commitments in the National Action Plan 2018-20.

In December 2018 Australia announced its next Open Government Forum. Alongside monitoring the progress of commitments in both National Action Plans and beginning the process for developing Australia's the third National Action Plan, a key priority of this next Forum will be too expand its

linkages and engagement with both government and civil society bodies that have an expertise in Open Government practices and techniques. This will help to boost the capacity of the Forum to develop new and innovative commitments for Australia's next National Action Plan and deliver better and more transparent outcomes for the community.